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H – 1127

International Court of Justice

H1127-0002

CONCENTRATION CAMP STATEMENT

LIST OF DOCUMENTS IN ORDER IN WHICH THEY ARE OFFERED IN EVIDENCE.

No.	Document No.	Language.
1	1390-PS	German
2	2499-PS	German
3	2324-PS	German
4	1723-PS	German
5	L-83	English
6	2513-PS	German
7	D-84	German
8	2324-PS	German
9	2330-PS	German
10	2334-PS	German
11	2928-PS	German
12	3051-PS	German
13	1919-PS	German
14	R-91	German
15	2605-PS	English
16	L-215	German
17	1165-PS	German
18	2309-PS	English
19	1650-PS	German
20	R-129	German
21	(REPEAT 2309-PS)	English
22	R-124	German
23	778-PS	German
24	1531-PS	German
25	(2309-PS)	English
26	2176-PS	English
27	3420-PS	English
28	3421-PS	English
29	3422-PS	English
30	3423-PS	"

Photograph of Chart attached (Concentration camps)

CONCENTRATION CAMPS

PRESENTATION" SI

H1127 – 0003

Photograph of chart used in argument
Dec. 13, 1945

H1127 – 0004

(~~Instrument in Book A~~)

TRANSLATION OF DOCUMENT 1390-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART 1, PAGE 83

Decree of the Reich President for the Protection of the People and State of 28 February 1933

Verordnung des Reichspräsidenten zum Schutz von Volk und Staat vom 28. Februar 1933

In virture of Section 48 (2) of the German constitution, the following is decreed as a defensive measure against Communist acts of violence, endangering the state;

Article 1

Sections 114, 115, 117, 118, 123, 124, and 153 of the Constitution of the German Reich are suspended until further notice. Thus, restrictions on personal liberty, on the right of free expression of opinion, including freedom of the press, on the right of assembly and the right of association, and violations of the privacy of postal, telegraphic, and telephonic communications, and warrants for house-searches, orders for confiscations as well as restrictions on property, are also permissible beyond the legal limits otherwise prescribed.

Article 2

If in a state the measures necessary for the restoration of public security and order are not taken, the Reich Government may temporarily take over the powers of the highest state authority.

Article 3

According to orders decreed on the basis of Article 2, by the Reich Government, the authorities of states and provinces (Gemeindeverbände), if concerned, have to abide thereby.

Article 4

Whoever provokes, or appeals for or incites to the disobedience of the orders given out by the supreme state authorities or the authorities subject to them for the execution of this decree, or the orders given by the Reich Government according to Article 2, is punishable - insofar as the deed is not covered by other decrees with more severe punishments - with imprisonment of not less than one month, or with a fine from 150 up to 15,000 Reichsmarks.

Whoever endangers human life by violating Article 1, is to be punished by sentence to a penitentiary, under mitigating circumstances with imprisonment of not less than six months and, when violation causes the death of a person, with death, under mitigating circumstances with a penitentiary sentence of not less than two years. In addition the sentence may include confiscation of property.

Whoever provokes or incites to an act contrary to public welfare is to be punished with a penitentiary sentence, under mitigating circumstances, with imprisonment of not less than three months.

Article 5

The crimes which under the Criminal Code are punishable with penitentiary for life are to be punished with death: i.e., in Sections 81 (high treason), 229 (poisoning), 306 (arson), 311 (properties), 324 (general poisoning).

Insofar as a more severe punishment has not been previously provided for, the following are punishable with death or with life imprisonment or with imprisonment not to exceed 15 years:

H1127 - 0005

H1127 - 0006

1. Anyone who undertakes to kill the Reich President or a member or a commissioner of the Reich Government or of a state government, or provokes to such a killing, or agrees to commit it, or accepts such an offer, or conspires with another for such a murder;

2. Anyone who under Section 115(2) of the Criminal Code (serious rioting) or of Section 125(2) of the Criminal Code (serious disturbance of the peace) commits the act with arms or cooperates consciously and intentionally with an armed person;

3. Anyone who commits a kidnapping under Section 239 of the Criminal Code with the intention of making use of the kidnapped person as a hostage in the political struggle.

Article 6

This decree enters in force on the day of its promulgation.

Berlin, 28 February 1933.

The Reich President
von Hindenburg
The Reich Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick
The Reich Minister of Justice
Dr. Guertner

- - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1390-PS

3 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1390-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

Exhibit U.S.A. 232
Filed Dec. 13, 1945

TRANSLATION OF DOCUMENT NO. 2499-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Berlin
March 15, 1935

Prussian Secret State Police

The Deputy Chief and Inspector

File No. A 3522 III 3 A 1 - 270

Please refer to file number

To

Mr. Kempner, Superior Government
Counselor (rtd)
Berlin

Order of Protective Custody

Based on Article 1 of the Decree of the Reich President for the Protection of People and State of 28 February 1933 (RGBL I, p 83), you are taken into protective custody in the interest of public security and order.

Reason: Suspicion of activities inimical toward the State.

By order
Dr. Potschowsky

Authenticated
Burger
Secretary of Criminal Section

Form 3. Jan. 5, 1935 - 300.

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2499-PS

Nov. 18, 1945

I, LUDWIG HARTMAN, T/4, ASN 37446052, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2499-PS.

LUDWIG HARTMAN
T/4, ASN 37446052

H1127 - 0007

2 H99PS

Exhibit U.S.A. 233
Filed Dec. 13, 1945

PARTIAL TRANSLATION OF DOCUMENT NO. 2324-PS
OFFICE OF U S CHIEF OF COUNSEL

EXTRACTS FROM GOERING AUFBAU EINER NATION (1934)

Page 86-87

I declared at that time before thousands of fellow Germans, each bullet which leaves the barrel of a police pistol now is my bullet, If one calls this murder, then I have murdered; I ordered all this, I back it up; I assume the responsibility, and I am not afraid to do so.

Through a network of outer offices converging into the headquarters in Berlin, I am daily, one could almost say hourly, informed about everything that happens in widespread Prussia.

page 89

We had to deal ruthlessly with these enemies of the state. It must not be forgotten that at the moment of our seizure of power over 6 million people officially voted for communism and about 8 million for marxism in the Reichstag elections in March.

Thus the concentration camps were created, to which we had to send first all thousands of functionaries of the Communist and Social Democratic parties.

page 92

The Gestapo deserves a great deal of credit for the success of the revolution and for the consolidation of its achievements. Right in the middle of this constructive work crackbed the blaze that destroyed the high cupola and the auditorium of the Reichstag. Criminal hands had set this fire, had put German Reichstag in flames, in order to give a last beacon to dying Communism, so that it could make one last desperate thrust before the Hitler government was consolidated. The blaze was to be the signal for the Communist party for general terror, for a general uprising and for civil war. That it did not have these consequences, Germany and the world owe not to the noble motives of Communism, but solely to the iron resolution and the hard fist of Adolf Hitler and his closest collaborators, who struck more quickly than the enemy had expected, and harder then he could imagine, and with the first blow suppressed Communism once and for all.

That night, when I ordered the arrest of 4000 Communist functionaries, I knew that by dawn Communism had lost a great battle.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2324

15 November 1945

I, VIRGINIA von SCHON, hereby certify that I am thoroughly conversant with the English and German languages; and the above is a true and correct partial translation of Document No. 2324-PS.

VIRGINIA von SCHON
046318

2324PS

H1127 - 0008

Part V
Ex. USA 206

TRANSLATION OF DOCUMENT 1723-PS
OFFICE OF U S CHIEF OF COUN

H1127 – 0009

EXTRACT FROM VERFUEGUNGEN
ANORDNUNGEN BEKANNTGABEN
P.430-39

Security Police

Cooperation of the Party offices with the Secret State Police (Gestapo).

In a summary of all the previously issued decrees on the cooperation between the Party and the Gestapo I refer to the following and ordain:

1. To the Gestapo has been entrusted the mission by the Fuehrer to watch over and to eliminate all enemies of the Party and the National Socialist State as well as all disintegrating forces of all kinds directed against both. The successful solution of this mission forms one of the most essential pre-requisites for the unhampered and frictionless work of the Party. The Gestapo, in their extremely difficult task, is to be granted support and assistance in every possible way by the NSDAP. The supervision of the Party itself does not come under the jurisdiction of the Gestapo.

I prohibit all offices of the Party, its organisations and associated groups to conduct investigations and interrogations regarding affairs which concern the Gestapo only. All occurrences of a political criminalistic nature are to be reported without prejudice along Party channels and as ever brought to the knowledge of the Gestapo immediately.

2. The secret state police must report automatically all occurrences of a criminal nature, even if it includes Party Members to the responsible public prosecutor according to the laws of the National Socialist State, in force for all nationals. In such cases, the State police offices will notify, as before, the county and Gauleiters concerned, of the reports made to the public prosecutor. Reports will include reasons for the incidents. In the interest of the movement the functionaries (Hoheitstrager) are obliged to suspend, if necessary, the party members, after contacting the responsible Party Court; the latter will hold a public hearing, to decide on the temporary suspension.

Invitation of the leaders of offices in the Security Police and the Security Service to attend Party meetings.

In order to establish closer connections between all the offices of the Party and their organisations and the office leaders of the Security Police and SD, the leader of the Party Chancellory asks that they should be invited in the future to all large official meetings of the Party.

The taking over of political offices by officials of the Gestapo

The Secret State Police has the mission to safeguard the unhampered development of all forces active in the party and released by it in the National Socialistic State.

Since it is still in a state of being organised and the available officials and employees are very much in demand they are only to be employed in order to take over positions in the Party in as much as it is compatible with their official duties in the Secret State Police.

I, therefore, ask to check in every single case and in close harmony with the department of the Secret State Police concerned, whose leader welcomes the taking over of political functions by officials and employees of the Secret State Police, whether the transfer of political missions into the Party can be justifi

1723-PS

H1127-0010

in the interest of the official obligations of the Secret State Police.

Presentation to the State Police upon request by Party offices

The Chief of the Security Police and SD has issued the annexed decrees of 29 March 1940 and 4 November 1940. It is ordered herewith that departments of the Secret State Police will be obliged to execute the presentation request when the same emanates from the Reichsleiters or the Gauleiters. If the request for presentation originates from subordinate departments of the party it will only be granted if particular interests of the State Police seem to warrant a presentation.

In the future the county (Kreis) administration and local (ORT) administrations are to direct all requests through the district (Gau) administration to the responsible department of the Secret State police.

Berlin, 29 March 1940

The Chief of the Security Police and SD

I A 1 NR. 102/40 - 176

To all State police departments

By way of information to the Inspectors of the Security Police and SD.

Subject: Presentation to the State Police upon request by Party offices.

Repeated requests by Party offices for presentation to the State Police of Volksgenossen who did not heed the summons of the Party offices, cause the following regulation to be decreed:

1. If the district administration makes the request the same is to be granted as long as no important interests of the State Police interfere.

2. If a party office subordinate to the district administration requests the presentation, the same has to be denied in as far as no important interests of the State Police seem to warrant a presentation.

Signed: HEYDRICH

Verified: SCHOENBRUNN OF THE CHANCELLORY

H1127-0011

The Chief of the Security Police and SD

IB 1 NR 763/40 - 151 Berlin SW 11 4 November 19..

To All State Police Departments

By way of information

to the Inspectors of the Security Police and SD

SUBJECT: Presentation to State Police upon request of Party Offices

Reference: Decree of 29 March 1940 IA 1 NR 102/40 - 176

In supplement to my decree of 29 March 1940 I order that presentation requests by Reichsleiters be granted in so far as important interests of the State Police do not interfere.

Signed: HEYDRICH

H1127 – 0012

Protective Custody

Protective custody must be viewed as the strongest measure in order to impressively instruct the Volksgenossen, who maliciously neglect their duties toward the community or endanger the security of the State, that they have to conform themselves to the universal interests and to adapt themselves to State discipline. Therefore it should only serve as a means of combatting real enemies of the Reich, but should never be used for the clarification or punishment of different or insignificant offenses.

An excessive use of protective custody, as well as its infliction without previous indisputable clarification of the state of affairs and the question of guilt, is neither justified with regard to the future of the one involved nor with respect to the reduction of its moral effect.

Therefore it must be expected that protective custody is only to be employed in really pressing and substantial cases.

I request that the county leaders be instructed orally to avoid any written communications; special emphasis on secrecy.

H1127-0013

Protective Custody (Regulations)

Through the circular of the 25 January 1938, the Reich Minister of the Interior has issued new regulations regarding the introduction of protective custody. In the following, I announce the wording of this decree for confidential information.

The Reich Minister of the Interior Berlin 25 Jan. 19

The following regulations regarding protective custody g into effect on the 1 February 1938. At the same time, these are rescinded:

a. My decree of 12 April 1934 - I 3311 A/28.2 along wit the supplement of 26 April 1934 and 10 July 1934 (direct to governments of the states and to the Reich statthalters).

b. My decree of 12 April 1935 - VI B 757A/3014 along with the supplementary decree of 1 June 1935 VI B 11568/3014 (directed to the governments of the states, Reichstatthalter, Prussian presidents of government districts).

c. My decree of 17 June 1935 - III P 3311/329 (directed to the state government and the Reichstatthalter.

d. The decree of office of Secret State Police of 3 July 1934 - B Nr. 19582 II I D (directed to the presidents of the Prussian government districts).

e. The decree of the Political Police Commander of the Lands of the 9 Sept 1935 - B. Nr. 37840/35 II 1 D (direct to the Political police of the states and the Prussian State Police offices).

Article I

Admissibility

Protective custody can be decreed as a coercive measure of the Secret State Police against persons who endanger the

H1127-0014

security of the people and the state through their attitude, in order to counter all aspirations of enemies of the people and state.

Protective Custody shall not be decreed for penal purposes or as a substitute for punitive arrest. Punishable offenses have to be decided finally by the courts.

Article 2

Competence

1. The Secret State Police exclusively is competent for the application of protective custody.

2. Motions in behalf of the application of protective custody have to be directed to the Secret State police through the State police offices. Every motion has to be substantiated in detail; the statements of the arrested person have to be considered in it. A copy of the hearing of the person temporarily apprehended has to be forwarded immediately.

3. Protective custody may only be inflicted if the accused has previously had a hearing on offenses imputed to him.

Article 3

Temporary Arrest

1. The Secret State police bureau, the offices of the State police director and of the State Police are authorized under the provisions of par 1 to order the temporary arrest of persons:

a. If it is feared that the freedom will be abused for activities hostile to the state.

b. If danger of under-cover activities exists.

c. If there is suspicion of escape.

2. The accused has to be notified at the latest within 24 hours after the arrest. He is to be heard on the grounds for the infliction of the temporary arrest according to protocol.

3. A temporarily arrested person has to be released at the latest after an elapse of 10 days from the day of apprehension if the Secret State police bureau has in the meantime not decreed protective custody (5).

.....

Article 6

Execution

The protective custody has to be executed generally in the State Concentration Camps.

Article 7

Duration

1. Protective custody shall only be upheld as long as it serves its purpose.

2. The Secret State police bureau authorizes release from protective custody. For that reason the bureau investigates periodically but not exceeding 3 months, whether the protective custody should be cancelled. The release must have taken

H1127-0015

place, at the latest, on the third day after the lifting of th protective custody.

Article 8

Foreigners

As a matter of principle deportation proceedure has to be carried out against foreigners who have been taken into protective custody unless particular reasons interfere.

Article 9

Executory Regulations

The Chief of the Security Police issues the necessary regulations for the execution.

5 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1723-PS

FRED NIEBERGALL
2nd Lt Inf
O-1335567

USA.
Exhibit 234
Filed Dec. 13, 1945

DOCUMENT NO. L-83

H1127-0016

City of Washington)
) ss:
District of Columbia)

(also in Book A.)

Gerhart H. Seger being first duly sworn deposes and says:

1. I was born in Leipzig, Germany, in 1896 and lived there until my induction into the German Army in 1915. I was successively attached to the Cavalry, Infantry and Air Force, and concluded my military service as a pilot in the German Air Force. I experienced a considerable amount of combat flying duty, was shot down over France in August 1918. I received several decorations, one of which was the highest medal awarded by the Austrian government. Following my demobilization from the Army I attended Leipzig University where I received a degree in journalism in March 1920. Thereafter I became editor of a newspaper in Berlin in the period 1920-1923. After that I held a position with the German Peace Society until 1928, edited a paper in Dessau during the period 1928-1933, and was elected to the Reichstag in 1930.

2. During the period after World War I up until my commitment to the Leipzig jail and Oranienburg concentration camp in the spring of 1933 following the Nazis' accession to power in January of that year, my business and political affiliations exposed me to the full impact of the Nazi theories and practice of voilent regimentation and terroristic tactics. My conflicts with the Nazis by virtue of my identification with the peace movement, and as a duly elected member of the Reichstag representing a political faith (Social Democratic Party) hostile to National Socialism, clearly demonstrated that, even in the period prior to 1933, the Nazis considered crimes and terrorism a necessary and desirable weapon in overcoming democratic opposition. The knowledge acquired as a result of these personal experiences during the period eventuating in successful culmination of the Nazis' efforts to seize power led me to a realization of some of the fundamental purposes and objectives which that group sought to accomplish by the systematic adoption of these tactics. The lapse of time attested the validity of that realization. While rarely openly articulated during the period embraced by my personal knowledge, the overt actions and studied practices of the Nazis could be directed to only one goal; namely, the perfection of rigid control over Germany as a preliminary step to dominance in Europe, and, possibly, eventual world hegemony. At that time the basic pattern was in process of formulation. The following aspects of that pattern were evidenced by the actions of the Nazis which came within the scope of my personal experience:

(a) Destruction of political resistance to the Nazi ideology by terrorizing, confining, and destroying democratic opposition elements.

(b) Division of German citizenry on a racial basis and discrimination against those who were adjudged not to be of German blood.

(c) Unlawful appropriation, spoliation, and forced sale of property for the personal enrichment of Nazis and for the purpose of establishing, solidifying, and maintaining internal control in Nazi hands.

L-83

(d) Destruction of racial minorities and political opponents through systematic underfeeding, deprivation of a livelihood, clothing, shelter, food and medical care; deportation of forced labor; work under inhumane conditions.

While the attainment of power was a necessary condition to the full flowering of the Nazi criminal and terroristic methodology, the outcroppings of such a policy were visible in the years preceding 1933. Specific overt acts, within the scope of my personal knowledge, which evidence the Nazis' belief at that time that the use of force, regimentation, and terrorism was necessary to the accomplishment of their purposes, are included in this statement.

3. In 1923 my interest in the German peace movement induced me to accept the position of Secretary General of the Deutsche Friedenagesellschaft which was the leading organization within Germany advocating compliance with the terms of the Treaty of Versailles on the part of Germany. At that time the important policy issue before the German public was whether Germany should conscientiously fulfill its obligations under the Treaty of Versailles with a view to obtaining its gradual revision in a peaceful manner or whether there should be a concerted, albeit clandestine, effort to sabotage the Treaty. The Peace Society with which I became affiliated advocated adherence on the part of Germany to the Treaty of Versailles and a policy of reconciliation with former allies. Espousal of these principles enabled this organization to make a substantial contribution to the cause of peace. Its president, Dr. Ludwig Quidde, the Historian of Munich University, was awarded the Nobel peace Prize in 1925. In its opposition to clandestine militarism the tenets of this organization were diametrically opposed to the principles and practices of the National Socialist Party. The latter party and sympathetic militaristic interests evolved the theory of the "unreality of defeat" and that "our armies were not beaten" as a basis for the doctrine that since the conclusion of the war a shame and disgrace had befallen Germany which could only be rectified by a great sacrifice, eventually, a war. Thus, the ideological predicate was laid for a vehement militarism on the part of these groups.

4. The antagonism of the followers of Hitler to my organization was dramatically demonstrated on numerous occasions when meetings of the Peace Society were broken up and terrorized by shock-troops and SA units. A number of examples are given below:

(a) One such occasion relates to a meeting in Essen in May 1923. At that time France had occupied the Ruhr Basin as a result of Germany's default on her Treaty obligations. While the German government had instructed the population of that territory to refrain from any acts of violence, the Nazi Party organized groups of saboteurs to create unrest and stimulate violence. The best known leader of the saboteurs was a soldier of fortune by the name of Leo Schlageter who subsequently was sentenced to death by a French military court and executed. In its program of supporting the government the German Peace Society arranged for a number of meetings in that territory to impress upon the population the necessity for an attitude of understandings. I was scheduled as the principal speaker at one of these meetings which was held in Essen during the month of May, 1923, attended by an audience of several thousands of persons. Before the meeting got underway an organized Nazi group strong-armed their way to the platform with the announced purpose of attacking me, but were prevented from reaching the stage by local police. However, they

H1127-0017

assaulted a number of participants of that meeting and succeeded in creating such a disturbance that the meeting had to be adjourned.

(b) Another such occurrence took place in the spring of 1925, at Siegen, Westphalia, where a meeting was scheduled to take place at the municipal auditorium. Shortly before the meeting a large group of the SA gained entrance to the building and occupied the front part of the auditorium. The presiding officer of the meeting was to be the chairman of the local branch of the German Peace Society who was a war veteran having lost both of his legs. While I was accompanying him slowly from the railroad depot toward the municipal auditorium we were overtaken by storm troopers who were discussing their plans to prevent this meeting from being carried out. We also heard that both the chairman of the meeting and I, as the speaker, were to be beaten up and forced out of town. Nevertheless, we proceeded to the auditorium and I began my address which was constantly interrupted by cat calls and insulting remarks. Finally the Nazis arose as a group and tried to storm the stage. However, they were prevented from doing so by Prussian State Police who had appeared in sufficient numbers to thwart the attempt. This rowdyism necessitated premature adjournment of the meeting by the Chief of Police. The chairman of the meeting was escorted to his house by the police and a guard accompanied me to the railroad depot.

(c) On one occasion during the period of my association with the German Peace Society I wrote and caused to be published a pamphlet or monograph on the subject of the "Black Reichswehr." This was a commentary on the methods pursued by the Reichswehr in seeking to evade the terms of the Treaty of Versailles. Shortly after this document was distributed the Nazi press, including Hitler's own newspaper, "Voelkischer Beobachter," demanded my indictment for treason. Prior to the publication of this pamphlet the Pact of the Locarno had been signed and the allied forces withdrew their Army of Occupation, thus leaving to Germany the fulfillment of the Versailles Treaty without formal Allied supervision. The violent criticism to which this document was subjected evidenced the open hostility of the Nazis to any program contemplating the revision of the Treaty of Versailles by peaceful or legal methods.

(d) The foregoing represent examples of the tactics and attitude of the Nazis with reference to the German Peace Society. It, of course, exemplified their attitude toward any person or organization which stood for adherence to the Treaty of Versailles and the restraint of German militarism. It is not necessary for me to relate further specific examples of the terroristic methods to which I was exposed during the period of my connection with this Society. The foregoing instances were repeated many times. These events made it apparent that the Peace Society would thereafter be ineffective in combatting the militaristic trend which had the silent support of the Reichswehr and the open espousal of the Nazis as well as the Conservative-Nationalist Party led by Dr. Hugenberg. Therefore, I left my position with the German Peace Society and returned to my journalistic profession. I became the editor of a daily social democratic newspaper, the "Volksblatt", published in Dessau, Anhalt.

5. The former Dukedom of Anhalt was part of the Reichstag Constituency No. 10, Magdeburg-Anhalt. I was selected

H1127 - 0018

by the Social Democratic Party of the Constituency as one of its candidates for membership in the Reichstag, and ran for election which took place on the 14th of September 1930. I was elected at that time. This was the first election in which the Nazis made substantial gains, having increased their number of representatives in the Reichstag from 13 to 107. During the campaign Nazi terrorism was prevalent in those Constituencies in which they were desirous of making a showing or where they thought they had a chance of winning. In this election Himmler was one of my competitors; also General von Seeckt, who, although not a candidate of the Nazi Party, had earned the support of the Nazis by virtue of his militaristic views. These leaders received sufficient votes for election under the system of proportional representation. Himmler's candidacy made the result of the election in this district a question of party prestige. One of the means employed by the Nazis to insure a particular success in that district was to bring in prominent outside speakers of their Party together with an imposing detachment of storm troopers. They not only followed this strategy in meetings arranged for their own speakers where storm troopers prevented anyone connected with the opposition from taking the floor, but they also sent speakers into meetings of other political parties accompanied by many storm troopers, often physically taking over the meeting. One particular meeting which the Nazis tried to take over physically was held during that campaign in the city of Raguhn in Anhalt. The meeting was called by the Social Democratic Party and I was the principal speaker. The Nazis brought with them, as speaker, the leading SA officer and Gauleiter of the Province of Silesia, Edmund Heines. As soon as Heines was given the floor to reply to my address, the storm troopers advanced toward the stage and made preparations to take the meeting over. The State Police of Anhalt, however, was represented in sufficient strength to forestall that audacious attempt.

6. Another meeting during that campaign took place in the City of Aschersleben where the Nazis brought in as their speaker Roland Freisler who later became the Minister of Justice in the Nazi government of Prussia. Freisler brought with him such a large detachment of storm troopers, some of whom were armed with pistols and clubs, that they succeeded in forcibly excluding everybody not in sympathy with their views, and thus concluded as their own meeting the one which had been called by the Social Democratic Party.

7. As in the case of terroristic tactics manifested in connection with meetings of the Peace Society, the foregoing incidents are representative of the systematic practices of the Nazis with reference to their political opponents. These violent tactics, repeated many times, are thus demonstrated to have constituted an integral aspect of their political creed. Always the first endeavor of this method was to transmute political dispute into physical combat, and thus to rely on superior fighting technique and brutality as a method of achieving success in the public forum.

8. Even in the actual deliberations of the Reichstag the Nazis resorted to the same ruthless procedures. Here again they sought to destroy parliamentary government and attain their ends by a display of aggression and the use of oppressive methods. Illustrative of their actions within the halls of the Reichstag are the following:

(a) On the 14th of September 1930, 107 Nazi members of the Reichstag were elected out of a total membership of

H1127-0019

524. This group of 107 Nazi members conducted themselves like a storm troop unit. Whenever representatives of the government or the democratic parties spoke the Nazi members marched out in a body in studied contempt of the speaker, or entered in a body to interrupt the speaker, thus making it physically impossible for the Reichstag President to maintain order.

(b) According to the rules of the Reichstag a limited speaking time was accorded to each speaker depending upon his place in the debate. The speaker of the house was charged with maintaining that schedule. It was one of the favorite tactics of the Nazis to disrupt the schedule by a noisy demonstration whenever one of their own speakers ran overtime and was cut off by the Reichstag President. On such occasions, the Nazis created such a bedlam that the President could not make himself heard. Similarly, in the case of speakers of opposition parties, the Nazi members constantly interrupted, often resorting to lengthy and spurious parliamentary maneuvers, with the result that the schedule of the session was thrown out of gear.

(c) The tactics of disturbance of parliamentary proceedings employed by the Nazis finally culminated in physical attacks upon members of the house as well as visitors. At one time in 1932 a visitor, Helmuth Klotz, who came to call on a democratic member of the house was physically attacked by the Nazis. Klotz had been a well-known submarine commander in the German Navy in World War I and, as an ardent supporter of the republic, had publicly opposed a policy of secretly rearming Germany thus incurring the wrath of the Nazi Party. He was attacked in a corridor of the Reichstag Building by Heines and other Nazi members of the house, and, when democratic members of the house came to his rescue, the Nazis called more of their members to press the assault until the Reichstag President found it necessary to call the police to restore order.

(d) The Nazi members who were the greatest offenders in disrupting the proceedings and in employing oppressive tactics were Joseph Goebbels, Robert Ley, Alfred Rosenberg, Erich Koch, Edmund Heines, Hans Frank, Fritz Terboven and others whose names I do not recall.

(e) That the Nazis had already conceived the device of the concentration camp as a means of suppressing and regimenting opposition elements was forcefully brought to my attention during the course of a conversation which I had with Dr. Wilhelm Frick in December 1932. Frick at that time was Chairman of the Foreign Affairs Committee of the Reichstag of which I was a member. When I gave an emphatic answer to Frick concerning the particular matter discussed, he replied, "Don't worry, when we are in power we shall put all of you guys into concentration camps." When the Nazis came into power Frick was appointed Reichsminister of Interior and promptly carried out his threat in collaboration with Goering, as Chief of the Prussian State Police, and Himmler.

(f) Early in July 1932 the Reichstag was dissolved and elections scheduled for the 31st of July. Again the Nazis manifested their contempt for democratic processes by the increased use of force during the course of the campaign. Interruption of meetings, heckling and beating of democratic speakers, and general terroristic practices were resorted to in full measure during that campaign. I was again re-elected to the Reichstag at the conclusion of the

H1127-0020

campaign. It was far more difficult at that time to obtain adequate protection from the Prussian State Police for the reason that the Papen-Putsch of 20 July 1932 resulted in the declaration of martial law in Prussia. The Reichwehr, under the command of General Gerd von Rundstedt, did little to maintain order at political meetings.

(g) After Hitler was appointed Chancellor on 30 January 1933 the Reichstag was again dissolved and an election scheduled for the 5th of March. Nazi methods of terror reached a peak in this campaign. During the period immediately preceding the scheduled election date I was campaigning in my home district where the Nazis had taken a dominant part in the election. On the 2nd of March between the hours of 2:00 and 3:00 a.m. my wife and I were awakened by a disturbance in the street. Five storm troopers appeared in front of the apartment house calling my name. My wife stepped out of our bedroom onto the balcony to ascertain the cause of the disturbance. As she did so one of the storm troopers fired a revolver and the shot went over her head into the ceiling of our bedroom. The next day I took my wife and daughter to the home of my mother in the city of Leipzig intending to stay there until the Reichstag reconvened. On Sunday, March 12, while my wife was taking our child out for a walk the door bell at my mother's apartment rang. Three local policemen and four SA men appeared at the door and requested me to identify myself which I did. Thereupon, they took me in an automobile to a police jail in the City of Leipzig where I was kept in solitary confinement for two days. On March 14 I was transferred to the county jail of Dassau where I was again kept in solitary confinement for three months. During the period of my incarceration in these prisons I was given relative freedom in the use of my time and was, in general, treated properly. From time to time I was interrogated by Dessau police officers in a manner indicating that they would like to establish that I was connected in some way with the Reichstag fire. This was an obvious "red-herring" which the police, on orders of the Gestapo, resorted to for the purpose of suggesting some justification, however tenuous, for my continued detention. The transparent absurdity of this tactic finally induced the police to abandon it.

9. During my imprisonment I made every attempt within my power to bring about my release or, at least, to have charges filed in the desperate hope that they might be the subject of a judicial hearing. Among other things, I wrote a letter to the President of the German Supreme Court, Dr. Erwin Bumke, pointing out that my arrest constituted an infringement of my parliamentary immunity, as a member of the Reichstag Foreign Affairs Committee, which continued in effect until the New Reichstag convened. Also, in oral and written communications to various officials, I insisted on the protection afforded to citizens of Germany under the Weimar Constitution. My lawyer demanded that charges against me be filed or otherwise made known to me. These efforts were wholly ineffective. Charges were never filed nor did I receive a single coherent statement from any Nazi or police official, high or low, which informed me of the legal or, indeed, the political basis for my incarceration. Evidently, my only sin was my refusal to subscribe to the principles and methods of the Nazi Party. That refusal was reflected in my public and parliamentary statements and in my writings. Such disagreement was consistently peaceful and never implemented by physical aggression or by my association with any group which

H1127-0021

sponsored the use of physical force. However, under the regime which came into power on 30 January 1933, mere disagreement involved, inexorably, jeopardy of the heretic's life.

10. On 14 June 1933 I was transferred to the concentration camp at Oranienburg. I remained in Oranienburg until the 4th of December 1933 when I escaped from that institution and was fortunate enough to get across the German-Czechoslovakian border. My experiences in that camp have heretofore been documented in my book entitled, "A Nation Terrorized" which was published by the Reilly & Lee Company, Chicago, in 1935.

Signed: Gerhart H. Seger

Subscribed and sworn to before

me this the 21st day of July 1945.

SIGNED: EDWARD L. DAVIS
Notary Public.

H1127-0022

Exhibit U.S.G. 235

Filed Dec. 13, 1945

~~(Case in Book A)~~

PARTIAL TRANSLATION OF DOCUMENT 2513-PS
Office of U.S. Chief of Counsel

H1127 - 0023

THE NATIONAL SOCIALIST WORKERS PARTY AS AN ASSOCIATION HOSTILE TO THE STATE AND TO THE REPUBLICAN FORM OF GOVERNMENT AND GUILTY OF TREASONABLE ACTIVITY.

DIE NATIONALSOZIALISTISCHE DEUTSCHE ARBEITERPARTEI ALS STAATS - UND REPUBLIKFEINDLICHE HOCHVERRATERISCHE VERBINDUNG.

Excerpts from a confidential report of the Police Division, Prussian Ministry of the Interior of 1930.

p. 47

On October 7, 1929, National Socialist District Leader Terboven of Essen announced in a meeting:

This weakness is especially known to Severing, who symbolizes the present State, and he intends to render a service to the State, which is breathing its last, but this too will no longer save the present corrupt parliamentarian system. . . But I give such a dictatorship only four weeks. Then the people will awaken, then the National Socialists will come to power, and then there will not be enough lamp posts in Germany . . .

The Bolshevik government is sitting on a volcano, and the German ~~government~~ is in the same situation. The National Socialists will do everything to further this explosion. . . When in the future we call the present representatives of the government to account, they will not be able to defend their actions as representatives of a parliamentarian system. They will have to answer with their heads to the German people, and particularly to the National Socialists, for their actions in the past. If this struggle continues with growing intensity the ward-heelers of the Marxist movement will hit the ceiling and the National Socialists will see that they won't get back on the ground on their feet . . . . . .

The National Socialists will march into the new Reichstag with thirty members; then there will be black eyes every day in this Reichstag; thus this corrupt parliamentarian system will be further discredited; disorder and chaos will set in, and then the National Socialists will judge the moment to have arrived in which they are to seize the political power.

p. 48.

On October 18, 1929, Reichstag deputy and present Thuringian Minister of the Interior Doctor Frick discussed the fight against the Young Plan in a meeting in Pyritz:

This fateful struggle will first be taken up with the ballot, but this cannot continue indefinitely, for history has taught us that in a battle, blood must be shed, and iron broken. The ballot is the beginning of this fateful struggle.

We are determined to promulgate by force that which we preach. Just as Mussolini exterminated the Marxists in Italy, so must we also succeed in accomplishing the same through dictatorship and terror.

- -

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2513-PS

Nov. 17, 1945

I, LUDWIG HARTMAN, T/4, ASN 37446052, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct partial translation of Document No. 2513-PS.

LUDWIG HARTMAN,
T/4, ASN 37446052

2513PS

Exhibit USA. 236
Filed Dec. 13, 1945

H1127 - 0024

TRANSLATION OF DOCUMENT D-84
OFFICE OF US CHIEF OF COUNSEL

SECRET STATE POLICE.
SECRET STATE POLICE DEPARTMENT.
II B 2 - 1286/37S.

Berlin,
5 August 1937.

To all leading State Police Departments and State Police Departments.

For information:- Government Presidents and Government Vice-Presidents in Prussia and the Ministeries of the Interior and all regions except Prussia.

Reference:- Protective Custody for Bible Students. (Translator's note:- lit "Bibelforschers" - members of a Biblical Society.

Sub-Ref:- Nil.

Thr Reichs Minister of Justice had informed me that he does not share the opinion voiced by subordinate departments on various occasions, according to which, the arrest of the Bibelforschers after they have served a sentence, is supposed to jeopardise the authority of the Law Courts. He is fully aware of the necessity for measures by the State Police after the sentence has been served. He asks, however, not to bring the Bibelforschers into protective custody under circumstances detrimental to the respect of the law courts.

The Reichs Minister of Justice has instructed his subordinate departments in this connection that protective custody for Bibelforschers, when this has been decreed after the serving of a sentence or after the cancellation of an arrest order, will no longer be carried out in convict prisons which are under the administration of the Courts. At the same time, following my suggestion, he has instructed the departments concerned with the carrying out of the sentences, to notify the appropriate State Police Department of the impending discharge of Bibelforschers under sentence one month before they are discharged. Accordingly I order:-

1) If a Bibelforscher has been acquitted as the result of a trial, or if part of the sentence is remitted because of remand, an arrest in court under my circular decree dated 22.4.37 - II B 2/326/37 S - will not, for the time being, be carried out.
2) If information regarding the impending release of a Bibelforscher from arrest is received from the authorities carrying out the sentence, my decision regarding the ordering of measures by the State Police, will be asked for in accordance with my circular decree dated 22.4.37, so that transfer to a concentration camp can take place immediately after the sentence has been served. Should a transfer into a concentration camp immediately after the serving of the sentence not be possible, Bibelforschers will be detained in police prisons.

In each case immediate report must be made.

per pro Müller.

Certified
(Sgd) (Signature)
Office Employee.

OoOoOoOoOoOoOoOoOoO

Secret State Police,
Secret State Police Department,
Dusseldorf.
II B/80,20/2119/I.B.V.

Düsseldorf
23 August 1937

A copy is attached for your information and observation.
The contents of the circular decree dated 22.IV.1937 - II B 2 - 326/37-S- quoted under (1) have been notified by circular letter dated 12.V.1937 - II B/1035/37/80.20/I.B.V.

D-84

Appendix for the information of Sub-prefects:

Prints for the information of the Burgomasters are attached herewith.

(signed) Kanstein.

Certified correct

(signed) Ramme,

Police Office Assistant,

To the Service Departments, the Sub-prefects, the Police Administration Departments at Neuss and Viersen, and II D in this building.

For correctness of the copy

(signed) Berson,

Employee.

H1127 - 0025

COPY

SECRET STATE POLICE DUSSELDORF, 27 Apr 39

STATE POLICE DEAPRTMENT
DUSSELDORF
II B 2119/37/80.20/JBV:

Reference: Protective Custody for Bibelforschers.

Subject: Reference my circular decree 15 Dec 37, file reference as above.

Bibelforschers have recently been released from detention after having served a sentence without an appropriate decision having been applied for from this department. I therefore draw your attention once more to my circular decree dated 12 May 37 - II B. 1035/38/80, 20/JBV - and that dated 23 Aug 37 - II B.80,20/2119/JBV - and, in accition, point out the following.

1. In principle, all Bibelforschers are to be taken into protective custody after having served a sentance. Application for protective custody together with necessary details to be made to Service Department II D.

2. If, for exceptional reasons, Bibelforschers are to be released after having served their sentence, a detailed report giving the reasons for this, if necessary with the relative documents, is to be handed to Service Department II B, which will then report to Gestapo accordingly. If no instructions have been received on such a case on the day of the completion of the sentence, these Bibelforschers are to be taken into protective custody for the time being; further instructions will be awaited, since the Gestapo, as is apparent from the contents of the circular decree referred to above, has reserved itself the exclusive decision on the release of Bibelforschers who have served their sentence.

Para 2 of the above will apply even where the Bibelforschers have made convincing statements to the effect that they will not in future be active, or even where they have signed a document to that effect.

I request that the above directives are observed.

Appendix for information of Sub-prefects.

Additional prints for the Burgomaster's attention.

(signed) Sommer.

Certified: Signature

Police Office Assistant
To the State Police Service Departments.
Sub-Prefects of the Districts.
Police Administration, Neuss and Viersen.

H1127 - 0026

H1127 - 0027

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. D-84

27 November 1945.

I, H. W. FRANK, Capt, British Army, 337475, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document No. D-84.

H. W. FRANK
Capt, British Army,
337475.

Exhibit U.S.A. 237
Filed Dec. 13, 1945
([redacted])

TRANSLATION OF DOCUMENT NO. 2330-PS
Office of U.S. Chief of Counsel.

Copy

Nürnberg
August 29, 1935

H1127 - 0028

Police Headquarters; Nürnberg-Fuerth

Re: Protective Custody.

Order for Protective Custody.

On the basis of Article 1 of the VO of the Reich President for the protection of people and state, of 28 Feb., 1933, (RGBl.I p. 83) the ministerial decree of May 2, 1934, No. 2186 a 39, herewith is taken into protective custody:

Effective as of 3 August 35:

First and last name: Josef Simon

Place and date of birth: May 23, 165 in Schneppenbach, B.A. Alzenan.

Marital Status and Profession: Widowed, former Trade Union Secretary.

Citizenship: Subject of the German Reich.

Religion: Free thinker.

Place of residence: Nürnberg - N. Ziegelsteinstr. 106

The arrestee has no right to appeal against the decreed protective custody.

Reasons:

Simon was for many years a member of the Socialist Party and temporarily a member of the Union Socialiste Populaire. From 1907 to 1918 he was Landtag deputy of the Socialist Party; from 1908 to 1930 Social Democratic City Counsellor (Stadtrat) in Nürnberg. In view of the decisive role which Simon played in the international trade unions and in regard to his connection with international Marxist leaders and central agencies, which he continued after the national recovery, he was placed under protective custody on 3 May, 1933, and was kept, until 25 January 1934, in the Dachau Concentration Camp. Simon is under the urgent suspicion that even after this date he played an active part in the illegal continuation of the Socialist Party. He took part in meetings which aimed at the illegal continuation of the Socialist Party and propagation of illegal Marxist printed matter in Germany.

Through this radical attitude which is hostile to the State, Simon directly endangers public security and order.

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2330-PS

7 November 1945.

I, WILLARD EVANS SKIDMORE, Lt(jg) U.S.N.R. 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document 2330-PS.

WILLARD EVANS SKIDMORE
Lt.(jg) USNR.
391590.

2330PS

Exhibit U.S.a. 238
Filed Dec. 13, 1945
(Also in Book IV)

TRANSLATION OF DOCUMENT 2334-PS
OFFICE OF U S CHIEF OF COUNSEL

H1127-0029

Statement of Lorenz Hagen

During the night of 17th to 18th March 1933, the offices of the ADGB ("Allgemeiner Deutscher Gewerkschaftsbund"; German Trade Unions), which are located in Nurnberg, Breite Gasse 25/27, as well as the offices of the Builders' Union and the Unions of the Bookbinders, Bookprinters, Lithographers, Textile Workers and Carpenters were completely destroyed by the SA under the leadership of SA-Brigadier General (SA-Oberfuhrer) Wurzbacher. All the office furniture was smashed and thrown into the courtyard, the safes overturned, forced open from the back and robbed. The typewriters, adding machines, mimeograph machines, etc., were stolen.

The ADGB possessed a huge library of about 10,000 volumes for the use of its members. Every single book was torn and thrown into the courtyard.

The Workers' Secretariat, which was joined to the AGBD, had an extensive professional library of about 500 volumes, among them valuable works on literature of social security and labor legislation. These were also thrown out and torn to pieces. A similar fate met about 750 to 800 files covering the cases of beneficionaries of pensions (social, war and accident cases) whose claims for pensions were being worked on.

The SA posted continuous guards in the office building and nobody was permitted to enter. When I made the attempt to enter in spite of it, Wurzbacher said: "The Red rascal will get in but will not come out alive." When I got in later in spite of him, the SA tried to catch me, but I escaped.

In order to guarantee the continued function of the trade union, which was most urgently needed at that time, I set up an emergency office in Nurnberg, Hummelsteinerweg. This was occupied on 2 May 1933 by SA, led by Pessler who was the District-leader (Gauobmann) of the NSBO (National Socialist Factory Cell Organization; "Nationalsozialistische Betriebszellen - Organisation") (later DAF; the German Labor Front). Erhardt Kupfer, the district secretary of the ADGB, was arrested at that time, kicked with rifle butts and led away by the SA in schackles. As the deputy of NSBO, a certain Müller was appointed. Three SA men guarded the office day and night. Upon the seizure, Pessler's first question to me was: "Where do you have your cars? I know you have three cars." When I answered that I never had a personal car, he threatened to put me in jail until I would confess. When he finally realized that I did not have a car, he asked me what funds the Nurnberg local committee of the ADGB possessed. I said truthfully: "235,000 RM minus the sum stolen by the SA from the safes when they broke into the offices on the Breite Gasse and which amounted to about 4,000 RM." Whereupon he threatened again to have me arrested but he did not do so, probably on the basis of the general order not to arrest the chairmen of local committees (Ortsausschussvorsitzende). I learned about this order only a few days ago.

On 1 June 1933, the deputy Müller came into the office and asked me whether I had not been arrested yet. I said no and indicated that the night before I had been in the apartment of my mother-in-law who was severely ill. I left the office without being noticed, hurried home, packed the most necessary things, and left by bicycle with my wife. We stayed away for about five weeks, travelling from one place to another.

After returning, I was arrested towards the end of August 1933, under the charge that I had agitated against the National Government and had conducted illegal recruiting for the forbidden ADGB and the Socialdemocratic Party. When no proof could be produced, I was released, but arrested again after 3 days. This time I was accused of having had knowledge of the arsenal of the Reichsbanner (Militant Organization of German Social democrats), and that I had organized the arming of the members of the Trade Union Offices. In cross-examinations conducted over many weeks, they tried to force a confession out

2334PS

H1127 - 0030

of me. When I did not confess anything, I was to go to the concentration camp in Dachau. However, my wife succeeded in preventing this. After 3½ months, I was released again. After this release I tried to start a business, no matter of what kind. It was in vain. Similarly, it was impossible for me to find work in my former line as engine-builder. Reason: political unreliability. Thus I lived on a weekly unemployment benefit of 14.40 marks, with my wife, until my further arrest in August 1935. At this time I was charged with participation in the so-called middle-German insurrection of 1934, and with the smuggling of illegal writings from abroad. In spite of the greatest efforts and the application of the foulest methods, such as the poorest and most inadequate food, depriving me of fresh air, threatening me with being shot and beaten, again the Gestapo did not succeed in proving anything against me. I was again set free after 12½ weeks. During this period of confinement, Kriminalrat Otto, the Gestapo-chief, tried to persuade my wife to convert me to National Socialism. He told her: "If your husband comes to us, this will be of greater value for us than the adherence of 1,000 other people. Your husband would get a position in which he would earn 3 times as much as ever before." My wife refused consistently.

The same story as before: unemployment, occasional meagre earnings, until the next arrest on 26 January 1938. This time they did a fullsized job and arrested my wife too. We were accused of preparing high treason against the country (Hoch- und Landesverrat) as well as maintaining connections abroad. The interrogations lasted until the middle of April. The Gestapo agent Beetz had a predilection for interrogations at night. Five searchlights illuminated the spot where you were sitting. Behind and before me, and on both sides, four men sat at a distance of a few meters, pointing their revolvers at me and clicking the triggers. The interrogations, which were of course always fruitless, were repeated sometimes two or three times in one night. Terms like "Greatest scoundrel," "most common criminal," and others were used. One morning at five o'clock, Beetz called me and said: "You know that your wife has been arrested too. She had a complete breakdown and struggles with death in her cell. She expressed the wish to see you once more before her death. I am willing to grant her wish, but only if you make a full confession." When I refused, he had me taken back into my cell and in an indescribable psychic condition. Beetz asserted several times that the material at hand condemning me was sufficient for 5 years in the penitentiary. I then demanded to be taken before the investigating judge. This, however, was refused, and on 20 April 1938, I was shipped to Dachau Concentration Camp. There I came immediately into solitary confinement and had to undergo 32 days of severe bunker (stronger Bunker)-punishment. During this time I had to sleep on a wooden board without blankets, and received warm food only every 4th day. On 9 July, I was released from the bunker and taken into the camp. There I had to perform the heaviest work, in spite of my greatly weakened physical condition. One day I received from an SS guard a kick in the back which threw me against a lorry which was just passing by, and thus I broke my lower right rib. Once when a prisoner had escaped from the camp, all of the camp-inmates had to fall out after work and stand at attention in ranks throughout the night. There were 17 dead next morning. On 13 July 1939, on order of the Nurnberg-Gestapo, I was taken off work and again put into the bunker and received again 64 days of rigid bunker-arrest until 28 September 1939, and was then shipped to Buchenwald Concentration Camp. There I came into the bunker again and stayed there until my release. During the whole time in Buchenwald I had to sleep on a board without a blanket. The food in the Buchenwald camp was so inadequate and inferior that at the time of my release I was a skeleton with skin over it. I wish to add that during my transfer to Camp Buchenwald, I suffered an inguinal rupture on the left side when jumping from a railroad car.

The release from the camp was accompanied by the express warning not to reveal anything about happenings in the camp. Otherwise, I would be returned

there and never would have a chance to get out again. After my return to Nürnberg, I had to report daily at 10 o'clock sharp at the main office of the Gestapo. From July 1941, I had to report twice weekly to the police station in my district. After I was completely bombed out, on 9 March 1943, the order to report was rescinded.

After this release from Camp Buchenwald, I again could not find a job anywhere, although the Gestapo had told me that if I could not show that I had a job within 6 weeks, I would be returned to the camp, since my release was tentative only. It was only due to the kindness of a textile shop owner who employed me in spite of the warnings of the Gestapo that I was not taken into protective custody again.

On 22 August 1944, I was again taken to Dachau Concentration Camp because of the attempt against Hitler's life, and I remained there for six weeks.

I may add that I had to undergo 6 house-searches during which everything in my apartment was upset. In these instances, all books which seemed to be dangerous, magazines, pamphlets, etc., were taken away.

I was chairman of the A.D.G.B., Local Committee of Nurnberg, 1930-33.

(signed) Lorenz Hagen
Chairman of ADGB,
Local Committee of Nurnberg
formerly: Karthäusergassergasse
Residence: Furth, Ritter v.
Aldebertstr. 3.

Today on the 17th of November 1945, I have reread each single page of the statement given by me on 19 October 1945 and I have signed it. I declare hereby under oath that this statement is true.

Lorenz Hagen

SWORN TO BEFORE ME this 17th day of November 1945 at the Justice Building, Nürnberg, Germany.

D. A. Sprecher, 02055516
Captain, AUS

H1127-0031

Appendix to the Statement of the Chairman of the ADGB, Local Committee of Nürnberg

When I arrived at the concentration camp at Dachau, the manger of the Stokers and Machinists Union, Josef Stalmer, who had been active in the above organization until 1933, was still in the Dachau camp. He had been arrested in March 1933 and shipped to Dachau. He was released from there near the end of 1938 or the beginning of 1939.

Karl Hermann, manager of the Union of Factory Workers, pay office (Zahlstelle) of Nurnberg, was for several weeks imprisoned in the same cell with me when I was taken into protective custody in 1935 in the prison of Nurnberg. The total period of his imprisonment was about 7 weeks at that time. The reason for his arrest was to force him to give his approval of the notarial transfer of the house of the Factory Union to the DAF. As private owner of the house, Hermann had been appointed together with another colleague of his organization to be the trustee of this house by the organization. In 1943 the two above mentioned men were taken to the Concentration Camp Flensburg. In 1944 they died in the camp.

During my stay in Dachau, we had Brigadier-General (Oberfuhrer) Loritz,

who was the commander of the SS-Death Head-Unit (Totenkopfstandarte) and chief camp commandant. He was a violent, brutal man. Here is only one example for this:

For a while I was occupied in an SS clothing camp with a prisoner-detachment. An SS 1st Lt. (Obersturmführer) who was in the tailoring section, whose name I unfortunately do not recall, sent a prisoner to the gate of the building on which there was a clock to find out what time it was. Loritz caught sight of the man, struck at him with his riding-whip and had his name taken. When the detachment returned at noon, the man was led away and without being allowed to defend himself, he received 25 lashings (stockhiebe) and 3 days arrest with water and bread. The rest of the detachment had to stand at attention during the noon recess and return to work without eating. The camp commander of Dachau at that time was Captain Kögel, who was transferred in September 1938 to the concentration camp for women in Lichtenburg, near Prettin, where my wife was at the time of this transfer.

Captain Grünewald followed him as camp commander. Grünewald was transport commander when we were shipped to Buchenwald. I myself saw, during the unloading of the train at Weimar, how Grünewald hit Czech arrestees, older people, in the face and neck with his fist. One of the men fell to the ground and could rise only with difficulty.

In my time, the SS-First Sergeants ("Rapportführer"; work detail-leaders) were Hofmann from Bamberg and Lüdtkemeyer, from Northern Germany. These two were also very brutal fellows, with whom beating and smacking on the pettiest grounds were the order of the day for satisfying their sadistic inclinations.

(Signed) Lorenz Hagen
Residence: Furth, Ritter v. Aldebertstr. 3.
Office: Nürnberg, formerly Karthäusergasse 12.

Today, on the 17th of November 1945, I have reread a duplicate copy of the appendix, which is an exact copy of the appendix to my statement of 19 October 1945. I have found that this statement is true. I declare this hereby under oath.

(Signed) Lorenz Hagen
Lorenz Hagen

SWORN TO BEFORE ME this 17th day of November 1945 at the Justice Building, Nürnberg, Germany.

D. A. Sprecher, 02055516
Captain, AUS

- - - - - - -

17 November 1945

I, GOETZ MAYER, Tec 5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 2334-PS.

GOETZ MAYER
T/5, 33812169

H1127 -0032

Exhibit U.S.A. 239
Filed Dec. 13, 1945

TRANSLATION OF DOCUMENT 2928-PS
OFFICE OF U S CHIEF OF COUNSEL

H1127 - 0033

[redacted]). AFFIDAVIT

1. My name is Mathias Lex, born on 28 of December 1874 in Bergham, Upper-Bavaria(Oberbayern). My residence is at Nuernberg, Katzwangerstrasse 62/II. From 1920 until May 1933 I was vice President of the National Union of Shoemakers (Zentralverband der Schuhmacher) affiliated with the A.D.G.B. (angeschlossen dem A.D G B.) The National Union was the parent organisation of all Shoemaker Trade Unions in the whole of Germany affiliated with the A.D.G.B. The Main Office was in Nuernberg and the office was located in the Essweinstrasse 1.

2. On 2 May 1933 I was as usual in the above mentioned office. It was about 10 a.m. when a certain Rudel in civilian clothes entered the office, accompanied by about 12 uniformed S.A. men. He informed us that he was directed to take over the National Union (Zentralverband). I then asked him whether he carried any identification. He replied this "would come immediately". Some minutes later the National Socialist Georg Pessler entered the room in the uniform of an A.A. man (Sturmabteilungsmann). He assembled all of us and informed us that the Shoemaker Union (Schuhmacherverband) was being taken over by the N.S.D.A.P. that however under no circumstances was it intended to dismiss any of the employees, but that on the contrary all of us should continue our work conscientiously. Another civilian had entered the room together with Pessler. He asked immediately for Josef Simon, the president of our organisation. I declared, that Simon was in Berlin, at a meeting of the A.D.G.B. (Allgemeiner Deutscher Gewerkschaftsbund (General German Trade Union Association). Schneider and Pessler wanted to know the address of Simon. I replied that I did not know it, because I was afraid of his being arrested. I was then informed that I would not be allowed to leave the office until I had given them the address of Josef Simon in Berlin.

During the afternoon Schneider remarked to Pessler that the son of Josef Simon was employed in the office and that his arrest in all probability would speed up the return of the father Josef Simon. When the closing hour came, all the keys, including those for the safe, were taken away from us by the Nazis and we were allowed to go home. Especially Schneider during the day had accused us of embezzlement and of the abuse of money entrusted to us, accusations which I strictly denied. From the day our offices were occupied, A Nazi guard in S.A. uniform of about 5 men was established there. On about 3 or 4 May I learned from young Simon that his father had been arrested in Berlin and was on his way to Nuernberg. Subsequently, young Simon and I went by railway to Fuerth, where we entered the Berlin-Nuernberg train, searched for Josef Simon and found him accompanied by a civil servant (Zivilbeamten). We remained together in a compartment until Nuernberg. Simon was taken away immediately from the station at Nuernberg and was not permitted thereafter to return to his office.

3. From 2 May 1933 onwards until about 11 May I was forced to work in my office under Nazi supervision. During that time Pessler conferred the supervision of the offices to Rudel and to a newly arrived Nazi-functionary, Heid. Around the 2 or 3 May the Nazis also took into custody (Schutzhaft) the editor of our union organ (Verbandsorgan) "The Shoemaker" (Der Schuhmacher"). His name was Otto Trefflich. Another member of our office staff, Hermann Mueller, was arrested about the same time. He was employed as a statistician by our trade union. In addition, however, he was Sport-Director (Sportwart") within the Workers Sport movement and I believe that he was arrested on account of that activity, as his position as statistician was not a leading one. He was also arrested on account of the fact that he was a very active member of the "Reichsbanner".

4. In Pirmasens, Palatinate, a payment-collection branch office of our union was established. In that office about the 8 or 9 May, the manager Adolf Ludwig and the cashier Dinges had been arrested. Upon my suggestion, Rudel agreed to go to Pirmasens in order to hear more details about the reason for the arrests. We arrived at Pirmasens about 11 May in the evening. A Nazi named Schmitz had taken over the management of the payment-collection office in Pirmasens. When we entered the office a certain Fink was also present. He was a leading Nazi in Pirmasens, in Nazi uniform.

Both repeated the accusations against the arrested manager and cashier of our branch office: embezzlement, theft and personal enrichment, illegal transfer of money belonging to the trade unions to the cooperatives (Genossenschaften). On 12 May we had a detailed discussion concerning the guilt of the accused men and I defended them. At about noon Fink, Schmitz and Rudel left the room. Both arrested men, Ludwig and Dinges, who had been brought into the room upon my request and myself were left in the room under the guard of an S.A. man. After about 10 minutes a policeman entered the room and brought me into the district-court prison (Amtsgerichtsgefaengnis).

H1127 - 0034

I was retained there in custody until the 28 May. Afterwards I protested in writing to the Nazi leaders of Pirmasens against my arrest, but I never received an answer. On 28 May Fink and two civilians arrived and informed me that they would send me back to Nuernberg. I asked them whether I would again be taken again into custody there. One of them said I would. I replied that in that case I might just as well stay in Pirmasens. Subsequently both Ludwig and Dinges, who had been called in before, and I were released after a few minutes.

5. When I showed up on Monday at my office for work, Rudel informed me that I was dismissed. I protested against an immediate dismissal on the ground of my rights against dismissal (Kuendigungsschutz) and Rudel rejected that flatly.

6. I reported three times weekly at the Labour Office ("Arbeitsamt) until the 26 September 1934, but had no success. I had also offered my services for factory work with the same negative result.

7. In September 1933 I secretly undertook a trip to Brussels in order to participate in the International Congress of Shoe and Leather Industry Workers (Internationaler Kongress der Schuh-und Leder-Industrie-Arbeiter"). My trip to Brussels was financed partly by my own means, partly with the help of my German collegues. I returned to Nuernberg without the Nazis being aware of my journey.

8. From the end of 1933 until September 1934 I irregularly received money from friends of our union. I was in a certain way the trustee for the distribution of that money to neady members of our movement, who as victims of the Nazis had become unemployed. In September 1934 a house-search took place in Pirmasens at the house of a certain Robert Breyer and a money order hidden in a sugar bowl was found. This money order had been addressed to me at my Nuernberg address. Based on that lead, the Gestapo discovered my distributing activities (Verteilertaetigkeit). On 25 September 1934 a search took place in my house by the Gestapo-man Osterhuber, accompanied by a policeman, but it was fruitless. These men ordered me to come to the Gestapo the following morning. After a four-hour cross-examination I was put into prison. I was retained in prison in Nuernberg for seven and a half months. During my custody in Nuernberg the Gestapo-man Osterhuber handed me a "Protective Custody Order" (Schutzhaftbefehl") dated 8 October 1934. This order was handed over by me to the American authorities here in Nuernberg on 13 November 1945.

9. On 11 May 1935 I was taken to Dachau. I was detained there until 23 December 1938. During these 44 months of my stay in Dachau, I saw and spoke now and again to the following persons likewise confined at the Dachau concentration camp (Dachauer Konzentrationslager). After each name I have added the person's political or other ties, also the home town or else the place where the person worked, as far as I still remember:

1. Karl PROELLS, Union man, Social Democratic Party of Germany (Sozialdemokratische Partei Deutschlands S.P.D.) Nuernberg
2. REIBENWEIN, Union man and S.P.D., Nuernberg
3. Johann DILLINGER, Union man and S.P.D., Nuernberg
4. Johann SPERBER, Union man and S.P.D., Nuernberg
5. EDELMANN, S.P.D.
6. BEHMER, Union man and S.P.D., Nuernberg
7. BUCHMANN, Union man and K.P.D. (Kommunistische Partei Deutschlands) (Communist Party of Germany).
8. HUEBNER, Union man and S.P.D., Nuernberg
9. UEBLER, Union man and S.P.D., Nuernberg
10. Max HOHLE, Union man and K.P.D., Muenchen
11. Leonhard PETER, Union man, Munich
12. BALSHAEUSER, Union man, Nuernberg
13. STAHLHUBER, Union man, Eichstaedt
14. HAUPTREIF, Union man, Pirmasens
15. WEISSPFLOCK, Union man, Munich
16. Hans GOLLWITZER, Union man, Nabburg

17. Julius LOSSMANN, Union man and S.P.D., Nuernberg

18. Kurt SCHUHMACHER, S.P.D.Hanover and Member of the Reichstag.

19. Anton MUELLER, S.P.D., Nuernberg

20. Heinrich JASPER,Dr., S.P.D.Prime Minister of Braunschweig, Braunschweig

H1127-0035

21. PUCHTA, S.P.D., Member of the Reichstaf, Bayreuth

22. ALEXANDER, Leading Police Official in Vienna, when the Labor party was in power there.

23. UNTERLEITNER, S.P.D., Member of the Reichstag (Mitglied des Reichstages), Munich

24. Ferdinand ABE,K.P.D., Munich

25. HUMMEL, S.P.D., Hessen (Hessea)

26. FELINER, S.P.D. or K.P.D., Straubing. Lower Bavaria

27. HAAG, K.P.D., Gmuend, State Deputy of Wuertemberg (Wuerttembergischer Landtagsabgeordneter)

28. Archduke (ERZHERZOG) FERDINAND VON LOTHRINGEN FROM THE DYNASTY OF TOSCANA (aus dem Hause Toskana) (seen, but not spoken to)

29. TWO PRINCES HOHENBERG, (Zwei Fuersten Hohenberg) sons of the deceased Crown Prince of Austria, Archduke Franz Ferdinand.

30. SCHMUCKER, Russian-Orthodox Bishop

31. STEINBRECHER, S.P.D. Minister of the Interior of Braunschweig

32. The Reverend SPANNlanc, Linz, Catholic priest

33. TRIPULA, Shoemaker, Neustadt/Aisch

When I came the first time to Dachau, I estimated that there were 2-3000 people confined in the camp. Of these about 50% at least were political prisoners. During my arrest in Dachau, I have spoken to additional other political prisoners, but I do not remember their names now. During my stay in Dachau, I noticed an increasing number of prisoners. Shortly before the Olympic Games took place in Berlin in 1936, my friends to whom I was talking and I noticed a sudden increase of prisoners to Dachau, which I estimate at about 2-3000 people. It was clear to us who discussed it that the most of them were beggars, peddlers and cripples because many of them looked shabby and were partly tattered and torn. We described many of them as "Peddlers" (Hausierer") and "Tramps" ("Handwerksburschen"). After the end of the Olympic Games, these people were gradually released. The next big transport appeared after the invasion of Austria and consisted of "Non Reich-Germans" (Nicht-Reichsdeutschen"), but only of Austrians. I estimate that the minimum figure was about 2500 people and that all these people came in within about 2 weeks. The next big transport, which I estimate at about 1000 people, was brought in about October 1938, immediately after the invasion of the Sudetenland. I spoke to some of these people, many of whom told me that they did not know at all why they had been arrested except that they were suspected of being Non-Nazis or Anti-Nazis. When I was released from Dachau in December 1938, about 20,000 people were held as prisoners there. At all times, however, where I was in Dachau, I estimate the percentage of the political prisoners to have been at least 50%. I include in the Political prisoners the "Bible-researchers" ("Bibelforscher") whose number I estimate at over 150. When I left the concentration camp there must have been over 150 gypsies there. After we had read in the newspapers of the murder of vom Rath, it was clear to us that the increased incoming of Jews was caused by it. I estimate the number of so-called "Anti-Socials" (A-Sozialen") in the camp at about 500 men, including the drunkards etc. In the group of political prisoners, estimated by me, I have not included the so-called "A-Socials" (A-Socialen) elements, the gypsies, nor the Jews, drunkards, the shiftless (Arbeitsscheuen), Homosexuals, those who had escaped labor assigned to them, nor the criminals. The following groups were kept

H1127 - 0036

entirely isolated: The members of the so-called "Punishment-Companies" (Strafkompagnien"), who were in a concentration camp for a second time and after about 1937 also the "Bibelforscher". Members of the "Punishment-Companies" (Strafkompagnien") were such prisoners, who had committed disciplinary or slight offences against the Camp Regulations ("Lager Ordnung"). The following groups lived separately but could mix with the other groups during the day, either while working or while strolling through the camp: Political prisoners, Jews, "Anti-Socials" (A-Sozialen"), gypsies, Felons, Homosexuals, and before 1937 also the Bible-Researchers" (Bibelforscher").

10. Until April or May 1936 the commandant of the camp was the S.S. Brigadier (Oberfuehrer) DEIWEL, who was later on succeeded by the "S.S. Colonel (Standartenfuehrer) BARANOWSKI and "S.S. Major (Sturmbannfuehrer") KRUEGEL. Attached to the commandant of the camp was the "S.S. Standartenfuehrer" VANSELOR, who was in charge of legal matters as interrogation of prisoners, who also interrogated me once. After LORITZ had commenced duty, the treatment became considerably worse. The following S.S. men (S.S.Leute"), holding the rank of "Scharfuehrer" were each in charge of a company of prisoners: ROTH, DAMMBACH, SPATZENBECKER, WAGNER, KAISER, ZIMMERMANN, SCHWARZHUBER, DALARMI, SEISS, AND LUEDGEMEYER, and many others.

11. After I had been brought to Dachau, I was subjected to numerous humiliations, annoyances, insults and ill treatments. We had to make our beds again and again under wuite frivolous pretexts, we were not even allowed to have finger prints on our cupboards, but were forced immediately to rub them off. While washing our dishes we were not allowed to spill water. In winter we must assemble without overcoats. We were not allowed to wear scarves. We would have been beaten. If one of us laughed, we all had to undergo punishment drill. Once we had punishment drill for half an hour because in the opinion of the SS man in charge we had not sung nicely enough. Frequently for no reason we had to stand at attention for as long as an hour, BENDING OUR knees or skipping. Frequently we were ordered for general cleaning. We had to take all our belongings into the open. This was ordered with pleasure on holidays. The S.S. "Scharfuehrer" SEISS had a whistle. When he whistled once, everybody had to leave the barracks at once. Frequently this was done 4-6 times in succession. The last, who did not return to the barracks quickly enough, was kicked. This made everyone afraid and they jostled each other. When once during an alarm I returned too late to my barracks, LUEDGEMEYER called me miserable rascal (Elender Lumpen) and kicked me and thumped me in the face with his fist. Once when I entered the working room, and did not immediately take off my cap, the civilian HINTERMANN, (a camp employee) beat my face with his fist. DAMBACH beat me on my head with his fist because I had forgotten to deliver my watch when I was brought into the camp. A guard asked me, while I was carrying 2 planks, four meters long, to run with them. I was not able to do that. He kicked me and I fell to the floor with the planks. Another time an SS man called me names and for no reason at all made me do knee-bending until I was exhausted. On New Year's Day, 1937 we had to run continuously for 3 hours in the morning and for 3 hours in the afternoon. Another time we were made to run with our arms raised and dance at the same time. This lasted about half an hour. At the usual roll call in the evening, we often had to stand for more than 3 hours in the bitterest cold. Once when the company assembled too late, SPATZENECKER deprived us of coffee. These are only a few examples of the treatment to which we were constantly exposed. When I arrived at Dachau, I was 60 years old. When I left Dachau, I had, during those 44 months, lost 30 lbs. in weight. I blame this loss of weight on the defective nutrition which gradually got worse and worse after LORITZ had taken over.

12. Many Anti-Nazi political figures, who had held high positions before the Nazi seizure of power, were as a rule treated much worse than the average political prisoners. As an example I name: STEINBRECHER, JASPER, and, as an example of harsh treatment of other than leading personalities, I name BUCHMANN, STEINBRECHER, as former Minister of the Interior of Braunschweig, was mostly forced to do very hard work. JASPER was ridiculed and forced to work very hard. Once he was forced to wallow in dirt and another time was ordered to run around a tree about 100 times until he fainted. BUCHMANN, as another example, a Communist, was inhumanly punished for suspected assistance in escape. He was made to jump into a canal, to dive, kneel, and was repeatedly threatened with a pistol in order to force a confession from him. FELLNER, an ordinary worker, had to stay without any reason for 80 days in the bunker. The smallest violation against the rights of property (Eigentumsrechte) was most severely punished. For example a prisoner named HAEUSLER, for the suspected theft of a pair of light shoes, received 36 lashings (Stockhiebe) (the so-called "Schlageter celebration" ("Schlageter-Feier") in the presence of the whole camp. We were ordered to assemble. He was fixed on the box (Bock) with his hands and legs strapped on to the box. Then he received from two S.S. Men the 36 lashes. They were given with

H1127 - 0037

ox-hide ships (oxenziemern) which were held in both hands of each SS man. A doctor was in attendance. In my opinion this was only a matter of form. On 22 March 1937, I again witnessed this type of punishment. Again everybody had to assemble. Camp commandant LORITZ was present. He threatened us and ordered that the men should be lashed slowly. There were 2 prisoners and each of them received 25 lashes. On the same day and at the same time I also witnessed another punishment: 10 prisoners, whose offenses were unknown to me, were hanged on trees. This was done in such a way that both hands were tied together behind their backs. They were hung on to the trees by their hands. This lasted for an hour. This kind of punishment took place weekly. I know that from those who suffered from it. One was named BIEDERER. From my own company a man named WAGNER experienced it. Another was named DIROLF. On 22 March 1937 while we were standing at attention to witness the beating, one of our men had wiped his nose. LORITZ noticed that. The man was brought out and also hanged on the tree. Many whippings took place without witnesses. I saw the preparations, especially the victims before the whipping. DEGENFELD, MOECKE, SOCK and HOFMAN from my company have told me that they were whipped without witnesses. I also know of many other persons who received non-public whippings, but I no longer remember the names. I witnessed four whippings before the assembled camp-inmates. Besides that I also know of three Austrians having been whipped. In that case only Austrian prisoners were allowed to be present. I know this because we were forbidden to leave the barracks during the punishment. At other times we were allowed to stroll around freely. On the occasion of this whipping, a Political Prisoner, TRIPULA, went as a spectator against orders, and, being discovered, he also received 10 lashes. He, himself, later told me.

13. Around April 1936 the order was issued to isolate the prisoners who were in protective custody for a second time. We were placed in a special barracks, altogether about 250 men. In contrast to the ordinary prisoners we were neither allowed to smoke, nor to have newspapers, nor to play any games. Instead of 8 hours we were now forced to work 10 hours, were only admitted for meals as the last group, were not allowed to write home nor to receive any mail. We were used for particularly heavy work. Also in our working place (Werkstatt), we had to work entirely separately. Our barracks was completely shut in by wire netting. The windows looking on to the camp-street were covered by screens, thus making it impossible for anybody to look at us. We also could not get in touch with the outside because the window was covered and because the barrack doors only led to the place situated between both barracks. We were released from this special custody (Sonderhaft) after about 8 weeks. Only those, however, who were in protective custody for a second time were released, not those who were in a concentration camp for a second time. They remained in the special custody as before and continued to be subject to the above mentioned restrictions.

14. On 23 December 1938 I was released from Dachau. On 24 December 1938 I had to report to the Gestapo at Nuernberg. There the signing of a "Declaration" was demanded of me. This declaration is exactly the same as that signed by Josef Simon fefore the Bavarian Political Police on 20 December 1935 (Note: See Document 2331-PS) with the exception that I had to report only every third working day instead of every second day, and that there was no fixed hour prescribed for me to report. In this "Declaration" signed by me, I was described as "Union official" (Verbandsbeamter). When I was released from Dachau, we were told by a high-ranking S.S. man while assembled, that for the slightest offence we would be sent again to Dachau. He added that in such a case we would in all probability never get out of Dachau. We were told not to talk about Dachau at all, neither in a good nor in a bad way, not even to members of our families. In such a case we would likewise be brought back to Dachau.

15. After returning from Dachau, I now received the normal unemployment compensation. I reported regularly with the Labor Office (Arbeitsamt), but I was unable to get a job.

16. On 22 August 1944 at 5 a.m. I was arrested in my apartment by two criminal police men and taken away. At the police station I met 20 other persons who like me had been arrested the same day. Among them was Lorenz HAGEN, former President of the A.D.G.B., Nuernberg Local Committee. At noon all of us were transported by railway to Dachau. On 5 September 1944 I was again released with some of the people arrested on 22 August. During that period we were kept isolated, had no shoes or hats and received filthy clothes. This time none of us had to do any work. After my release I remained unemployed at Nuernberg until the end of the war.

17. I then resumed my relations with the union and with the party. Due to my age, however, I am no longer active.

I have read each page of the above statement and signed it. I assure hereby by oath that it is true.

(Signed) Mathias Lex
Mathias Lex

SWORN TO BEFORE ME ON THIS 16th DAY OF NOVEMBER, 1945 at the Justice Building, Nuernberg, Germany

(Signed) D.A.SPRECHER
D.A.SPRECHER, 02055516
Captain, AUS

17 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2928-PS

I, Enid M. Standring, P.O., 52012, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2928-PS

Enid M. Standring
P.O., 52012

H1127 - 0038

Exhibit U.S.A. 240
Filed Dec. 13, 1945

H1127 - 0039

TRANSLATION OF DOCUMENT NO. 3051-PS
OFFICE OF U.S. CHIEF OF COUNSEL

First Document: (Translator's note: sheet of paper approximately 4 inches by 6 inches, containing pencil notes as follows:)

General Field Marshal
has noted.

initials illegible
20 Nov.

I.A. (by order)
initials illegible
15 Nov 38

Second Document:

C O P Y

II

Berlin, 10 November 1938

I. Teletype

1) To all Headquarters and Stations of the State Police.

2) To all Sections and Sub-sections of the SD.

Urgently to be submitted!

Re: Measures against Jews.

Following my order of tonight, I explicitly point out that looting will be barred under all circumstances by using corresponding measures.

Looters are to be arrested. For more details, instructions will be given by me.

The Reich "Ministry of Justice" (Reichsjustizministerium) has instructed all Public Prosecutors to put at the disposal of the State Police the prisons to hold the arrested Jews.

In addition, the Reich Ministry of Justice asks that in no case are orders to be issued against persons who may have been arrested during the action.

Finally, the Reich Ministry of Justice has instructed the Public Prosecutors not to proceed in any interrogation on matters of the Jewish actions (Judenaktionen).

All this exclusively for your information.

The Chief of the Security Police

/s/ Heydrich

Third Document:

C O P Y

Berlin, 10 November 1938.

Chief of the Security Police

I. Teletype

To all Headquarters of the State Police.

3051-PS

H1127 - 0040

Referring to my teletype instructions, I instruct you once more that whenever, during the protest action, looting has occurred, you should proceed ruthlessly, by intensive interrogations, to establish the persons guilty and to secure the objects of the looting.

I ask you to inform me by 11 November 1938, at 8 AM, by telegram, all cases of looting known to you, indicating just the facts and the guilty persons if found.

Before turning over these persons to the examining judge, you must get my instructions.

If necessary, the Kripo can be used to clear up the facts.

Chief of the Security Police

/s/ Heydrich

Fourth Document:

SECRET

Copy of Teletype from Munich, 10 November 1938, 1:20 AM.

To all
Headquarters and Stations of the State Police.

To all
Districts and Sub-districts of the SD.

Urgent! Submit immediately to the Chief or his deputy!

Re:
Measures against Jews tonight.

Because of the attempt on the life of the Secretary of the Legation vom Rath in Paris tonight, 9-10 November 1938, demonstrations against Jews are to be expected throughout the Reich. The following instructions are given on how to treat these events:

1) The Chiefs of the State Police, or their deputies, must get in telephonic contact with the political leaders (Gauleitung oder Kreisleitung) who have jurisdiction over their districts and have to arrange a joint meeting with the appropriate inspector or commander of the Order Police (Ordnungspolizei) to discuss the organization of the demonstrations. At these discussions the political leaders have to be informed that the German Police has received from the Reichsfuehrer SS and Chief of the German Police the following instructions, in accordance with which the political leaders should adjust their own measures.

a) Only such measures should be taken which do not involve danger to German life or property. (For instance synagogues are to be burned down only when there is no danger of fire to the surroundings).

b) Business and private apartments of Jews may be destroyed but not looted. The police is instructed to supervise the execution of this order and to arrest looters.

c) On business streets, particular care is to be taken that non-Jewish business should be protected from damage.

d) Foreigners, even Jews, are not to be molested.

H1127-0041

2) The demonstrations which are going to take place should not be hindered by the police provided that the instructions quoted above in section 1 are carried out. The police has only to supervise compliance with the instructions.

3) Upon receipt of this telegram, in all synagogues and offices of the Jewish communities the available archives should be seized by the police, to forestall destruction during the demonstrations. This refers only to valuable historical material, not to new lists of taxes, etc. The archives are to be turned over to the competent SD offices.

4) The direction of the measures of the Security Police concerning the demonstrations against Jews is vested with the organs of the State Police, inasmuch as the inspectors of the Security Police are not issuing their own orders. In order to carry out the measures of the Security Police, officials of the Criminal Police as well as members of the SD of the "Verfuegungstruppe" and the allgemeinen SS may be used.

5) Inasmuch as in the course of the events of this night the employment of officials used for this purpose would be possible, in all districts as many Jews, especially rich ones, are to be arrested as can be accommodated in the existing prisons (Haftraeumen). For the time being only healthy men not too old are to be arrested. Upon their arrest, the appropriate concentration camps should be contacted immediately, in order to confine them in these camps as fast as possible. Special care should be taken that the Jews arrested in accordance with these instructions are not mistreated.

6) The contents of this order are to be forwarded to the appropriate inspectors and commanders of the Ordnungspolizei and to the districts of the SD (SD-Oberabschnitte und SD-Unterabschnitte), adding that the Reichsfuehrer SS and Chief of the German Police ordered this police measure. The Chief of the Ordnungspolizei has given the necessary instructions to the Ordnungspolizei, including the fire brigade. In carrying out the ordered measures, the closest harmony should be assured between the Sicherheitspolizei and the Ordnungspolizei.

The receipt of this telegram is to be confirmed by the Chiefs of the State Police or their deputies by telegram to the Gestapo, care of SS Standartenfuehrer Mueller.

/s/ Heydrich,
SS Gruppenfuehrer.

Fifth Document:

C O P Y

Teletype

To all Headquarters of the State Police
" " Districts and Sub-districts of the SD.

Part of 64/170

H1127 - 0042

TRANSLATION OF EXTRACTS OF DOCUMENT 1919-PS
OFFICE OF U S CHIEF OF COUNSEL

Speech of the Reichsführer - SS
at the meeting of SS Major-Generals
(SS-Gruppenführer) at Posen
October 4th, 1943

"The 1941 attack (p. 3)

In 1941 the Führer attacked Russia. That was, as we can well see now, shortly, - perhaps 3 to 6 months - before Stalin prepared to embark on his great penetration into Central and Western Europe. I can give a picture of this first year in a few words. The attacking forces cut their way through. The Russian Army was herded together in great pockets, ground down, taken prisoner. At that time we did not value the mass of humanity as we value it today, as raw material, as labour. What after all, thinking in terms of generations, is not to be regretted, but is now deplorable by reason of the loss of labour, is that the prisoners died in tens and hundreds of thousands of exhaustion and hunger."

(p. 22)

"it is basically wrong for us to infuse all our inoffensive soul and spirit, our good-nature, and our idealism into foreign peoples. This is true since the time of HERDER who clearly wrote "Voices of the Nations" ("Stimmen der Völker"), in a state of drunkenness, thereby bringing (p. 23) on us, who come after him, such immeasurable sorrow and misery. This is true for instance, of the Czechs and the Slovenes to whom we gave their consciousness of nationality. They were just not capable of it themselves; we had to discover it for them.

One basic principle must be the absolute rule for the SS man: we must be honest, decent, loyal, and comradely to members of our own blood and to nobody else. What happens to a Russian, to a Czech does not interest me in the slightest. What the nations can offer in the way of good blood of our type, we will take, if necessary by kidnapping their children and raising them here with us. Whether nations live in prosperity or starve to death* interests me only in so far as we need them as slaves for our Kultur; otherwise, it is of no interest to me. Whether 10,000 Russian females fall down from exhaustion while digging an anti-tank ditch interests me only in so far as the anti-tank ditch for Germany is finished. We shall never be rough and heartless when it is not necessary, that is clear. We Germans, who (p. 24) are the only people in the world who have a decent attitude towards animals, will also assume a decent attitude towards these human animals. But it is a crime against our own blood to worry about them and give them ideals, thus causing our sons and grandsons to have a more difficult time with them. When somebody comes to me and says, "I cannot dig the anti-tank ditch with women and children, it is inhuman, for it would kill them," then I have to say, "You are a murderer of your own blood because if the anti-tank ditch is not dug, German soldiers will die, and they are sons of German mothers. They are our own blood." That is what I want to instil into this SS and what I believe have instilled into them as one of the most sacred laws of the future. Our concern, our duty is our people and our blood. It is for them that we must provide and plan, work and fight, nothing else. We can be indifferent to everything else. I wish the SS to adopt this attitude to the problem of all foreign, non-Germanic peoples, especially Russians. All else is vain, fraud against our own nation and an obstacle to the early winning of the war."

"Foreigners in the Reich (p. 43)

We must also realise that we have 6 to 7 million foreigners in Germany. Perhaps it is even 8 million now. We have prisoners in Germany. They are

* i.e. Verrecken = to die (used of cattle) - Translator's note.

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H1127 - 0043

none of them dangerous so long as we take severe measures at the merest trifle. It is a mere nothing today to shoot 10 Poles, compared with the fact that we might later have to shoot tens of thousands in their place, and compared to the fact that the shooting of these tens of thousands would then be carried out even at the cost of German blood. Every little fire will immediately be stamped out and quenched, and extinguished, - otherwise - as in the case of a real fire - a political and psychological surface-fire may spring up among the people.

The Communists in the Reich

I don't believe the Communists could attempt any action, for their leading elements, like most criminals, are in our concentration camps. And here I must say this - that we shall be able to see after the war what a blessing it was for Germany that, in spite all the silly talk about humanitarianism, we imprisoned all this criminal sub-stratum of the German people in concentration camps: I'll answer for that. If they were going about free, we should be worse off. For then the sub-humans would have (p. 44) their NCOs and Commanding Officers, then they would have their councils of workers and military. As it is, however, they are locked up, and are making shells or projectile cases or other important things, and are very useful members of human society."

"The SS in war-time (p. 51)

Now I come to our own development, to that of the SS in the past months. Looking back on the whole war, this development was fantastic. It took place at an absolutely terrific speed. Let us look back a little to 1939. At that time we were a few regiments, guard units (Wachverbände) 8 to 9,000 strong, - that is, not even a division, all in all 25 to 28,000 men at the outside. True, we were armed, but really only got our artillery regiment as our heavy arm two months before the war began. We will recapitulate which tasks, which duties, and which assignments we have been given in the last 4½ years. But first I would like to enumerate and make known once more some outward changes.

Changes in Personnel

The following changes have taken place at the Main Offices:

Our comrade, SS Lieutenant General (Obergruppenführer) Kaltenbrunner has succeeded our fallen friend Heydrich. Unfortunately he is ill today. He has phlebitis, but it is, I am glad to say, not dangerous. That (p. 52) is why he could not come.

Our old friend Daluege has such severe heart trouble that he has to undergo courses of treatment and now has to retire from active service for 1½ to 2 years. - I would like this evening to send our two friends, Daluege especially, and Kaltenbrunner too, a teleprint or a telegram in the name of all of us. As I have said, we may hope that Daluege will have recovered in about two years, and can then return to the front and get into harness.

SS-Obergruppenführer Winnenberg is in charge as his deputy. He has been in charge of the police division up till now, and was then appointed to be Officer Commanding IVth SS armoured corps. He is General of the Waffen-SS and the police, and is in charge of the uniformed regular police (Ordnungspolizei) as their Head.

SS-Gruppenführer Breithaupt has succeeded our old comrade and friend Scharfe as Chief of the SS - court of justice.

SS-Obergruppenführer Hofmann has made a change. He has given up the Main office for race and settlement (Rasse - u. Siedlungshauptamt) and has

H1127-0044

Senior
become/Executive SS and Police Officer (Höhere SS - und Polizeiführer) for the South-West.

(p. 53)

SS-Obergruppenführer Hildebrandt has left Oberabschnitt# Weichsel, and has become Chief of the Main Office for race and settlement.

SS-Obergruppenführer Schmidt has left the Head Office for Personnel at his own request and has joined my personal staff for special duties. He is succeeded by SS-Gruppenführer von Herff.

One of my closest and most long-standing colleagues, SS-Obergruppenführer Wolff, has now, I am glad to say, recovered completely from a severe illness which greatly endangered his life - (it was an operation for removing stones from the kidney) - and is now, - this is a new appointment - Supreme Executive SS and Police Officer (Höchste SS - und Polizeiführer) for the whole of occupied Italy. He therefore has charge of 25 to 30 million people. Under him he has SS-Gruppenführer Globocnik as Senior Executive SS and Police Officer for the coastal area. He too could not come today.

Senior Executive SS and Police Officers have since been appointed as follows: for Croatia - Kammerhofer, who on account of the Croatians is not called Senior Executive SS and Police Officer, but Commissioner of the Reichsführer SS; for Serbia Meyszner was appointed earlier, for Greece - (p. 54)
Stroob at the moment but - I would like to tell you this now - I am transferring him from there to Schimana. Officials/ in Greece will become Senior Executive SS and Police Officers, and thus not command the Galician SS-Volunteer Division. SS-Gruppenführer Panke is to become Senior Executive SS-and Police Officer for Denmark."

"Chief of the Anti-partisan Units (Bandenkampf-Verbände) (p. 57)

In the meantime I have also set up the department of Chief of the anti-partisan units. Our comrade SS-Obergruppenführer von den Bach is Chief of the anti-partisan units. I considered it necessary for the Reichsführer SS to be in authoritative command in all these battles, for I am convinced that we are best in a position to take action against this enemy struggle, which is a decidedly political one. Except where the units which had been supplied and which we had formed for this purpose were taken from us to fill in gaps at the front, we have been very successful.

It is notable that, by setting up this department we have gained (p. 58) for the SS in turn a division, a corps, an army, and the next step, which is the High Command of an army or even of a group - if you wish to call it that.

Regular uniformed Police and the Sipo

Now to deal briefly with the tasks of the regular uniformed police and the Sipo. They still cover the same field. I can see that great things have been achoived. We have formed roughly 30 police regiments from police reservists and former members of the police - police officials, as they used to be called. The average age in our police battalions is not lower than that of the Security battalions of the Armed Forces. Their achievements are beyond all praise. In addition, we have formed Police Rifle Regiments by merging the police battalions of the "savage peoples" (der "wilden Völker"). Thus we did not leave these police battalions untouched but blended them in the ratio of about 1 : 3. That is why we have, at the present moment of crisis, a far greater stability than could be seen among the other units made up of natives or local inhabitants. - - - - - -"

"SS-industrial concerns (p. 63)

I now come to other individual great spheres of activity, of which it is

Largest regional sub-division of the SS - Translator's note.
/ Obscure sentence - Translator's note.

H1127-0045

important for you all to know. We have huge armament works in the concentration camps. This is the sphere of activity of our friend SS-Obergruppenführer Pohl. Every month we put in many millions of hours of work for armaments. We tackle the most thankless tasks and - I must give this its (p. 64) due - whether in the concentration camps, in Pohl's industrial works, or outside at the offices of the Senior Executive SS and Police Officers or in the workshops of the Head Office of SS administration (SS-Führungshauptamt), one thing is obvious: wherever we are, we are SS-men. Where things are in a bad way, we act. I want every subordinate trained to this end. We want to help, unhampered by quibbles regarding authority, (Kompetenzen) for we want to win the war. What we are doing, we are doing for Germany. Whether it is a question of building a road, if a tunnel is not going ahead somewhere, or if it is an invention which for sheer red-tape does not come to fruition, or anything else; where we can get to work, we get to work. What we are doing in our armament works will be a remarkable and noteworthy achievement, even if we can only assess it and prove it when the war is ended.

The Clearing out of the Jews

I also want to talk to you, quite frankly, on a very grave matter. Among ourselves it should be mentioned quite frankly, and yet we will never speak of it publicly. Just as we did not hesitate on June 30th, 1934 to do the duty we were bidden, and stand comrades who had lapsed, up against the wall and shoot them, so we have never spoken about it and will never (p. 65) speak of it. It was that tact which is a matter of course and which I am glad to say, is inherent in us, that made us never discuss it among ourselves, never speak of it. It appalled everyone, and yet everyone was certain that he would do it the next time if such orders are issued and if it is necessary,

I mean the clearing out of the Jews, the extermination of the Jewish race. It's one of those things it is easy to talk about - "The Jewish race is being exterminated", says one party member, "that's quite clear, it's in our program - elimination of the Jews, and we're doing it, exterminating them." And then they come, 80 million worthy Germans, and each one has his decent Jew. Of course the others are vermin, but this one is an A 1 Jew. Not one of all those who talk this way has witnessed it, not one of them has been through it. Most of <u>you</u> must know what it means when 100 corpsss are lying side by side, or 500 or 1000. To have stuck it out and at the same time - apart from exceptions caused by human weakness - to have remained decent fellows, that is what has made us hard. This is a page of glory in our history which has never been written and is never to be (p. 66) written, for we know how difficult we should have made it for ourselves, if - with the bombing raids, the burdens and the deprivations of war - we still had Jews today in every town as secret saboteurs, agitators and troublemongers. We would now probably have reached the 1916/17 stage when the Jews were still in the German national body.

We have taken from them what wealth they had. I have issued a strict order, which SS-Obergruppenführer Pohl has carried out, that this wealth should, as a matter of course, be handed over to the Reich without reserve. We have taken none of it for ourselves. Individual men who have lapsed will be punished in accordance with an order I issued at the beginning, which gave this warning; Whoever takes so much as a mark of it, is a dead man. A number of SS men - there are not very many of them - have fallen short, and they will die, without mercy. We had the moral right, we had the duty to our people, to destroy this people which wanted to destroy us. But we have not the right to enrich ourselves with so much as a fur, a watch, a mark, or a cigarette or anything else. Because we have exterminated a bacterium we do not want, in the end, to be infected by the bacterium and die of it. I will not see so much as a small area of sepsis appear here or gain a (p. 67) hold. Wherever it may form, we will cauterize it. Altogether however, we can say, that we have fulfilled this most difficult duty for the love of our people. And our spirit, our soul, our character has not suffered injury from it.

H1127-0046

The bearing of the SS-man

If I make a statement for us all and in the presence of all of us of all that we have done this year in the form of - I would almost say - a statement of accounts, then there is one thing that I must not overlook and pass over: the significance of the bearing of the SS-man. - - - - -."

"The Principle of Selection (p. 70)

We are a product of the law of selection. We have made our choice from a cross-section of our people. This people came into being aeons ago, through generations and centuries, by the throw of the dice of fate and of history. Alien peoples have swept over this people and left their heritage behind them. Alien blood-streams have flowed into this people, but it has, nevertheless in spite of terrible hardships and terrible blows of fate, still had strength in the very essence of its blood to win through. Thus this whole people is saturated with, and held together by Nordic-Phalian-Germanic blood, so that after all one could, and can, still speak of a German people. From this people, of such varied hereditary tendencies, as it emerged from the collapse after the years of the battle of liberation, we have now consciously tried to select the Nordo-Germanic blood, for we could best expect this section of our blood to contain the creative, heroic and life-preserving qualities of our people. We have gone partly by outward appearances, and for the rest have kept these outward appearances in review by making constantly new demands and by repeated tests both physical and mental, both of the character and the soul. Again and again we have sifted out and cast aside what was (p. 71) worthless, what did not suit us. Just as long as we have strength to do this will this organisation (Orden) remain healthy. The moment we forget the law which is the foundation of our race, and the law of selection and austerity towards ourselves, we shall have the germ of death in us, and will perish, just as every human organisation, every blossom in this world does some time perish. It must be our endeavour, our inner law, to make this blossoming and fructifying last for our people as long as possible, bringing as much prosperity as possible, and - don't be alarmed - if possible for thousands of years. That is why, whenever we meet and whatever we do, we must be mindful of our principle: blood, selection, and austerity. The law of nature is just this: What is hard is good; what is virgourous is good; whatever wins through in the battle of life, physically, purposefully and spiritually, that is what is good - always taking the long view. Of (p. 72) course sometime - and this has happened often in history - someone can get to the top by deceit and cheating. That makes no difference to nature, to the fate of the earth, to the fate of the world. Reality, that is, Nature, Fate, removes the impostor after a time - time not reckoned in generations of man but in historical periods. It must be our endeavour never to deceive ourselves but always to remain genuine, that is what we must continually preach and instil into ourselves, and into every boy and each one of our subordinates.

The SS after the war

One thing must be clear, one thing I would like to say to you today: the moment the war is over, we will really begin to weld together our organisation, this organisation which we have built up for 10 years, which we imbued and indoctrinated with the first most important principles during the 10 years before the war. We must continue to do this - we, - if I may say so, we older men - for twenty years full of toil and work, so that a tradition 30, 35, 40 years, a generation, may be created. Then this organisation will march forward into the future young and strong, revolutionary and efficient to fulfil the task of giving the German people, the Germanic people the super-stratum of society which will combine and hold together this Germanic people and this Europe, and from which the brains which the people needs for industry, farming, politics, and as soldiers, statesman and technicians, will emerge. In addition this super-stratum must be so strong and vital that every generation can unreservedly sacrifice two or three sons from every family on the battle-field, and that nevertheless the continued flowing of

H1127 - 0047

the bloodstream is assured.

The Virtues of the SS-Man

I will speak now of the most important virtues which I began years ago to preach and to impress on this organisation, on this whole General-SS (Allgemeine-SS) - for that is the basis of this organisation - and which are just now in the 5th year of war of such decisive significance and importance.

1). Loyalty

We have, I am glad to say, not had a single case among our ranks so far, of an SS-Man being disloyal. Let this one thing be our guiding principle: If within the sphere of your knowledge there is ever anyone who is disloyal to the Führer or to the Reich, even if it is only in thought, you must see to it that this man is thrown out of the organisation and we will see to it that he departs this life. (p. 74) For everything, - I have said this once already and repeat it today, - everything can be forgiven in this world, but one thing cannot be forgiven among us Teutons: that is disloyalty. It would be unforgivable and is unforgivable. Downfalls, like the downfall of Badoglio in Italy must not and will not happen in Germany. The name Badoglio will in future be the name for bad dogs, the name of abuse for four-legged mongrel curs, just as in the olden days the name Thersites was the name of abuse for traitors. - We can only say one thing and preach it constantly: Let the German people show, by unparalleled and wholehearted loyalty on the part of each one of its men and each one of its women that it is worthy of being permitted to live at the time of an Adolf Hitler, and worthy of this leader having arisen for it, who has dedicated his life full of care, full of responsibility, full of work, to our German Teutonic people.

2). Obedience

Obedience is demanded and given in the soldier's life morning, noon, and night. And the little man always obeys or usually does. If he does not, he is put in prison. The question of obedience in (p. 75) the case of senior officials in the state, party and the army, and even here and there in the SS, is more difficult. I would like here to state something clearly and unequivocally: It is a matter of course that the little man must obey. It is even more a matter of course that all the senior leaders of the SS, that is, the whole corps of Gruppenführer, are a model of blind obedience. If anyone thinks that an order is based on a misunderstanding on the part of the superior or on a false basis it goes without saying that it is his duty and responsibility - that is, the duty and responsibility of every one of you - to say so, and also to state his reasons truthfully like a man if he is convinced that they deprecate the order. But the moment the superior concerned or the Reichführer-SS - that applies to the Corps of Gruppenführer in most cases - or even the Führer has made the decision and given the order, it must be carried out, not only in word and letter, but also in spirit. Whoever carries out the order must do so as a good steward, as a true representative of the authority giving the command. If you thought at first that this would be right and that that would not be right or even wrong, then there are two alternatives. Thus if a man thinks that he cannot be answerable for obeying an order, then he should say quite honest-(p. 76) ly: I cannot be answerable for it. I beg you to excuse me from it. Then the order will usually be: You must still carry it out. Or you think: his nerve has gone, he's weak. Then you can say: Good, retire on a pension. But orders must be sacred. If the Generals obey, then the armies obey automatically. The more our territory grows, the more does this sacredness of orders apply. It was not all difficult to enforce an order in our little Germany. But to enforce an order

once we - and I am convinced of this - have garrisons in the Urals, - that is more difficult. Here it will not always be possible to make sure that the order is carried out. Our controlling authority may not, may never be, - as in Russia - the Commissar. The only Commissar we have must be our own conscience, devotion to duty, loyalty, obedience. If you lead the way with this example, gentlemen, every subordinate will follow this example. But you will never be able to demand obedience of your men, if you do not give the same obedience to authority over you, and give it blindly and without reserve.

3). Bravery (p. 77)

To bravery, I think we need least to exhort ourselves, for our leaders and men are brave. - - - - -."

"4). Truthfulness (p. 80)

I now come to a fourth virtue which is very rare in Germany, to truthfulness. One of the greatest evils which has spread during the war is the lack of truthfulness in messages, reports, and statements which subordinate departments in civil life, in the state, the party and the Services send in to the departments over them. The message, the report is the basis of every decision. It is actually the fact that one can now in many spheres assume in war-time that 95 out of 100 messages are untrue or only half true or semi-correct. - - - - -."

"While on the subject of truthfulness I now come to another (p. 83) matter. It must so come about in war and in peace - in peace this will be above all a training task - that we SS-men no longer conclude written agreements, but that among us, as used to be the case formerly, the giving of one's word and the hand-shake signify the contract, and that the hand-shake of one SS-man is - if necessary - certainty for 1 million or more. It must so happen that the hand-shake or the promise of an SS-man is more proverbially reliable than mortgage upon the greatest value of anybody else's. It must be so!

If we conclude agreements, we must keep them. If I make a contract with an agent, even with a blackguard, I keep the contract. I take my stand unreservedly on this point of view. If I announce in the General-gouvernement, that anyone who informs against a Jew who has sought shelter and gone into hiding, shall have a third of the Jew's property, then it often happens that Secretary Huber or Second Lt. (SA) (Untersturmführer) Huber who - when he can - makes illegal trips, or does not hesitate (p. 84) to order a new telephone or new pencils, who, that is, never saves, - suddenly begins to save for the German Reich. He says for instance: This Jew has 12000RM. What, that means I would have to pay out to the Pole who denounced him 4000 RM. No, I'll save that for Germany. The Pole shall only get 400 RM. So a little man goes and breaks the promise of a whole organisation. That sort of thing should be impossible.

If we make a promise, it must be kept. If the Reichsführer-SS pledges to anyone support for his organisation - as may very often be the case now in the Balkans - this pledge must be kept. We must acquire such a reputation for the keeping of contracts in the whole world, we in the SS, that we thereby gain for Germany advantages of the greatest value, namely faith through confidence. Many will come to us, who will not approach official departments. The Balkans are always in a state of confusion. That is a blessing. If they were united it would be terrible. Things are chaotic in the Caucasus and in Russia. We can only see to it - this is also a (p. 85) precept, - that the territories we have occupied and the peoples we rule over never become united, that they always remain disunited. For they would only be united against us. If therefore we pledge our protection to a party (Splittergruppe) who approaches us, it must be quite out of the question for any member of the SS or the police, any member of the whole organisation to go and break the promise. This promise must be sacred.

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H1127-0049

"Practical Tasks" (p. 102)

"In the way of practical duties for the Senior SS executive and (p. 103)
Police Officers I see above all one task, which applies at the same time to the Heads of the Main Offices as well. For me the Senior SS Executive and Police Officer is the representative of the Reichsführer-SS in his area. It would be an evil day if the SS and police fell out. It would be an evil day if the Main Offices, performing their tasks well meaningly but mistakenly made themselves independent by each having a downward chain of command. I really think that, the day of my overthrow would be the end of the SS. It must be, and so come about, that this SS organisation with all its branches - the General-SS which is the common basis of all of them, the Waffen-SS, the regular uniformed police (Ordnungspolizei), the SIPO, (with the whole economic administration, schooling, ideological training, the whole question of kindred), is, even under the tenth Reichsführer-SS one bloc, one body, one organisation. Alas if we do not bring them together. Alas if the individual main offices, the individual chiefs had a false conception of their duty here, if they believed they were doing a good thing, whereas in fact they were taking the first step towards the end. We have come a long way on the road to amalgamation. In the hard battles of this year the Waffen-SS has been welded together in the bitterest hours from the most varied divisions and sections, and from these it formed: body-guard units (Leibstandarte), military SS (Verfügungstruppe), Death's head units, and then the Germanic SS. Now when our "Reich", Death's Head Cavalry Divisions and "Viking" Divisions were there, everyone knew in these last weeks: "Viking" is at my side, "Reich" is at my side, "Death's Head" is at my side, - "Thank God", now nothing can happen to us. - The regular uniformed police and Sipo, General-SS and Waffen-SS must now gradually amalgamate too, just as this is and (p. 105)
must be the case within the Waffen-SS. This applies to matters concerning filling of posts, recruiting, schooling, economic organisation, and medical services. I am always doing something towards this end, a bond is constantly being cast around these sections of the whole to cause them to grow together. Alas, if these bonds should ever be loosened, - then everything - you may be sure of this - would sink back into its old insignificance in one generation, and in a short space of time. It could then be said that that would be no pity; if it wasn't worth keeping alive, it should come to an end. That is right. I would not hear of anything being kept, even if it is my, our SS which is so dear to us, if it was not worth keeping alive.

Only I think that we could not be answerable for it to Germany, and to Germania, for this Germanic Reich needs the SS organisation. She needs it at least for the next few centuries. Then, in a hundred, a thousand, or two thousand years another form will surely be found. When we are dead and gone, some remnant of us with a few of our fundamental ideas will pull through and carry on. Out of this will grow something new again, just as here and there we took over, and now bear, a torch from the time of the Teutons, from the age of chivalry, from the Vehmic organisation, and from the (p. 106)
Prussian army, in order to light a great light from it. It will be just like that later on. I believe that today we could not afford to let anything happen to this SS. That is why I urge one thing on all of you, on you, my heads of the main offices, my Senior Executive SS and Police Officers, and on this whole corps of Gruppenführers, the highest gradation in this hierarchy of the SS organisation: Always see the whole, always look at the whole organisation, never at your branch of it only, or only your Oberabschnitt but always see the SS, and above it the Germanic Reich, and above that our Führer who has created and is still creating this Reich."

"The Future" (p. 110)

"When the war is won, - then, as I have already told you, our (p. 112)
work will start. We do not know when the war will end. It may be sudden, or it may be long delayed. We shall see. But I say to you now, if an armistice and peace comes suddenly, let no-one think that he can then sleep the

sleep of the just. Get all your Commanders, Chiefs and SS-Führers attuned to this; only then, gentlemen, shall we be awake, for then, so many others will fall into this sleep. I am going so to rouse the whole SS, and keep it so wide awake that we can tackle reconstruction in Germany immediately. Then Germanic work will be begun immediately in the General-SS, for then the harvest will be ripe to be taken into the granary. We shall then call up age-groups there by law. We shall then immediately put all our Waffen-SS units into excellent form, both as regards equipment and training. We shall go on working in this first 6 months after the war, as though the big offensive were starting on the next day. It will make all the differ- (p. 113) ence, if Germany has an operative reserve, an operative backing, at the peace or armistice negotiations, of 20, 25 or 30 SS-divisions intact.

If the peace is a final one, we shall be able to tackle our great work of the future. We shall colonize. We shall indoctrinate our boys with the laws of the SS-organisation. I consider it to be absolutely necessary to the life of our peoples, that we should not only impart the meaning of ancestry, grandchildren and future, but feel these to be a part of our being. Without there being any talk about it, without our needing to make use of rewards and similar material things, it must be a matter of course that we have children. It must be a matter of course that the most copious breeding should be from this racial super-stratum of the Germanic people. In 20 to 30 years we must really be able to present the whole of Europe with its leading class. If the SS, together with the farmers, - we together with our friend Backe, then run the colony in the East on a grand scale, without any restraint, without any question about any kind of tradition but with nerve and revolutionary impetus, we shall in 20 years push the national boundary (Volkstumsgrenze) 500 kilometers Eastwards.

(p. 115)

I requested of the Führer today, that the SS - if we have fulfilled our task and our duty by the end of the war - should have the privilege of holding Germany's most Easterly frontier as a defence frontier. I believe this is the only privilege for which we have no competitors. I believe not one person will dispute our claim to this privilege. We shall be in a position there to exercise every young age-group in the use of arms. We shall impose our laws on the East. We will charge ahead and push our way forward little by little to the Urals. I hope that our generation will successfully bring it about that every age-group has fought in the East, and that every one of our divisions spends a winter in the East every second or third year. Then we shall never grow soft, then we shall never get SS members who only come to us because it is distinguished or because the black coat will naturally be very attractive in peace-time. Everyone will know that: "if I join the SS, there is the possibility that I might be killed." He has contracted in writing that every second year he will not dance in Berlin or attend the carnival in Munich, but that he will be posted to the Eastern frontier in an ice- cold winter. Then we will have a healthy élite for all time. Thus we will create the necessary conditions for the whole Germanic people and (p. 115) the whole of Europe, controlled, ordered and led by us, the Germanic people, to be able, in generations, to stand the test in her battles of destiny against Asia, who will certainly break out again. We do not know when that will be. Then, when the mass of humanity of 1 to 1½ milliards lines up against us, the Germanic people, numbering, I hope, 250 to 300 millions, and the other European peoples, making a total of 600 to 700 millions -(and with an outpost area stretching as far as the Urals, or, a hundred years, beyond the Urals) - must stand the test in its vital struggle against Asia. It would be an evil day if the Germanic people did not survive it. It would be the end of beauty and "Kultur", of the creative power of this earth. That is the distant future. It is for that that we are fighting, pledged to hand down the heritage of our ancestors.

We see into the distant future, because we know what it will be. That is why we are doing our duty more fanatically than ever, more devoutly than ever, more bravely, more obediently and more thoroughly than ever. We want to be worthy of being permitted to be the first SS-men of the Führer, Adolf Hitler, in the long history of the Germanic people, which stretches before us.

H1127 - 0050

Now let us remember the Führer, Adolf Hitler, who will create the Germanic Reich and will lead us into the Germanic future. (p. 116)

Our Führer Adolf Hitler

Sieg Heil!

Sieg Heil!

Sieg Heil!"

H1127 - 0051

"Speech of Reichsführer-SS Heinrich Himmler at Kharkow April 1943

My SS-Führer, (p. 1)

It is perhaps very strange, that we should meet in a university of the Russian State, here at Kharkow, - at this Kharkow, which has played so great a part, and really will play a still bigger part in the history of the war. Until last year it was of no very great significance. This year it has become, like Stalingrad, but in the reverse sense, a city of destiny in German war history, in German history. I have asked you, the Commanding Officers of the three SS-Divisions, who took part in this campaign from the Dnjeper to Kharkow and carried out this campaign practically alone and forced a decision, to come together here in order, as has been the custom for many many years, as long as there has been an SS, to meet each other again, and in order once more to establish a few facts about the past and the future.

I would like, in a few words, to outline the whole position and situation with regard to the war.

Today, Germany is on the borders of Europe everywhere. These European frontiers stretch up as far as the North Cape, down the Norwegian coast, through Denmark, the Netherlands, Belgium and France and jump over to Africa, continue to Tunis to form a bridgehead, run across as far as the frontiers formed by the sea, then from Greece and Crete up to the borders of the neutral states of Turkey and Bulgaria, to join hands again here in the East. I would like to give it a name: it is the great fortress of Europe.

It will undoubtedly happen, that the enemy will make the attempt, today, tomorrow or the next day, at some time, to break into this fortress of Europe at one point or another. That will undoubtedly be the case. Possibly he will be able to force an entry for a shorter or longer period at one point or another in places which we do not have in our personal and responsible control, or which we are not defending with our arms. (p. 2) One thing is certain: wherever the enemy lands, if once we can get to grips with him on the Continent, where we are not dependent on supplies from overseas, that ought to be, and will be, all right with us. On the whole, however, it is here in the East that the decision lies. The fortress of Europe with its frontiers, must be held and will be held too, as long as is necessary. The decision, therefore, lies here in the East; here must the Russian enemy, this people numbering two hundred million Russians, be destroyed on the battle field and person by person, and made to bleed to death."

"It is my opinion - and here, I believe, I am speaking to men (p. 3) who already understand this - that we must conduct the war and our campaign on these lines: - how can we take the most men from the Russians - dead or alive? We shall do it by killing them or taking them prisoner and (p. 4) really putting them to work, by endeavouring to gain as much control as possible over any territory we occupy, and by leaving empty of people any territory we dispose of, any area we make over to the enemy. Either they must be deported and will be used as labour in Germany for Germany, or they will just die in battle. To hand people back again, giving the enemy workers once more and enabling him to recruit again, - that I think, taking the broad view, would be absolutely wrong. That could not be advocated."

"On the other side, one thing goes on the same as ever, the U- (p. 5) boat war, this dreadful stranglehold on the throat of the enemy. I have good reason to be convinced that this stranglehold will never be relaxed, but will tighten. I cannot help feeling that things are beginning to go worse with England these last few months in matters of supply. That by no means indicates that England will collapse today, tomorrow or the next day, but it does mean that we will just be approaching the time when one or other of our opponents, once Russia is conquered and eliminated as a factor, will

H1127 - 0052

H1127 - 0053

come to the conclusion that it is not worth carrying on the war. The result - and I am convinced of this, I believe it and I know it - the result, the end of this war, regardless of however many months or even years it lasts, will be this: that the Reich, the German Reich or the Germanic Reich of the German nation, will with just title find confirmation of its evolution, that we have an outlet and a way open to us in the East, and that then, centuries later, a politically Germany- a Germanic World Empire will be formed. That will be the result, that will be the fruit of all the many, many sacrifices, which have been made and which must still be made."

"We have, - I would say, as very consistent National Socialists, (p. 7) taken the question of blood is our starting point. We were the first really to solve the problem of blood by action, and in this connection, by problem of blood, we of course do not mean anti-semitism. Anti-Semitism is exactly the same as delousing. Getting rid of lice is not a question of ideology. It is a matter of cleanliness. In just the same way, antisemitism, for us, has not been a question of ideology, but a matter of cleanliness, which now will soon have been dealt with. We shall soon be deloused. We have only 20,000 lice left, and then the matter is finished with in the whole of Germany. But for us the question of blood was a reminder of our own worth, a reminder of what is actually the basis holding this German people together. Just as is the case in the years between 1938 and 1943, in exactly the same way as now, the same ill-founded reproaches were made then: well, if you bring the Nordic man so much to the fore, you're creating a new split, a new class-distinction, - it's a new class hatred. We're overcoming the social barriers, so I've been told by important party members, and now you're setting up racial ones. My reply to these people has always been: If you want to look at things in a negative way, there is nothing in the world which you cannot see in a negative way. From the negative angle, of course, you can argue that way. I see it differently, for I see it on this plane: What is the binding factor which holds the man in East Prussia and the man in the Black Forest together, the man in Schleswig - Holstein and in Hamburg and the man in Munich, in Graz, in Pomerania, in Berlin (p. 8) and in the Rhineland? What is then the factor or the element which contains all that is dear and precious and valuable to us? It is in fact what we Germans call inherent Kultur, it is this Germanic, this Nordic component of our blood."

(p. 10)

"In one operation these peoples must and will be incorporated in the Germanic Reich which, at one time, were part of Germany, part of the German Empire (the Roman Empire and the German nation) and belonged to us up to 1806 or only till 1648, - that is Flanders, Wallonia, and the Netherlands. They were a part of the Reich. Over and above this, we must have the power to bring into the fold, and make a part of our community in a second operation, those Germanic peoples and states too, which have never been part and parcel of the German Reich, - I mean Denmark and Norway, the Danish and Norwegian people."

(p. 11)

"I very soon formed a Germanic SS in the various countries. We very soon got Germanic volunteers from them. It has not always been liked and is still not liked today by many of the political leaders in these countries. From the beginning, I have said to them, "You can do what you like and leave what you like. I leave everything entirely to you, but you may be sure, that an SS will be set up in your country, and there is but one SS in Europe, and that is the Germanic SS, led by the Reichsführer-SS. You can resist, or you can offer no resistance, it's all the same to me. We shall do it in any case!" We have told them that curtly and plainly and clearly from the beginning.

I have said to the SS-men from the beginning too: We do not expect you to renounce your nation, or do anything which a proud and self-respecting fellow who loves his nation cannot do. We do not expect you to become German out of opportunism. But we do expect you to subordinate your national ideal to the greater racial and historical ideal, to the Germanic Reich.

H1127-0054

In addition, one thing is quite obvious. All of us, who are members of the Germanic peoples, can be happy and thankful that once in thousands of years fate has given us, from among the Germanic peoples, such a genius, a leader, our Führer Adolf Hitler, and you should be happy to be allowed to work with us.

Although I do not wish to discuss any individual official matters here, I would still like to mention in a slightly official way, in my capacity as a military man, what I said before about racial Germans, I beg you never to commit the psychological error of speaking of Germans who came from Roumania or Hungary or Croatia, as Croats, Roumanians or Hungarians. I also beg you never to make the mistake of letting a man who speaks (p. 12) German badly or cannot speak and read German, sense this, or let him sense the thought: "You are a second-rate German, for you can't read or write German properly." I beg you rather, (and here too I am stating a very sober opinion), to think in this case of these Germans in the whole of the Balkans, still more of those overseas, in America, when one day we must fetch over here in millions, - and we shall succeed in doing so - who have held out for centuries. I am certainly of the opinion that if a mighty German Reich with an incredible upward urge in its very being and a great German Führer had not now come into being at this time and in the last few decades, it would have been the end of these Germans (Deutschtum). A person with a very strong character can personally rise above his surroundings for years and perhaps for decades. A race, if it is in small groups, cannot in the long run hold out against its surroundings. And we must never forget this: these Germans do not usually live together in hundreds of thousands, but a thousand here in a few villages, and two thousand there, and 20 thousand at the most somewhere else. But they do not live together in large numbers. So they are always encircled by a foreign nation (Volkstum), and surrounded by its influence, but are above all surrounded by the influence of the people of the country. <u>They</u> are not the people of the country, those are the others. They are subjects of a state of foreign nationality, which, in any moment of doubt, is their enemy, or at the very best, as, shall we say, Roumania, a tolerably neutral and impartial observer. But on the whole these Germans have lived, throughout the centuries of German weakness, from the Thirty Years' War up till now, in surroundings calculated not to strengthen their consciousness of German race (Deutschtum) but to destroy it.

There was something else besides this. If one of these Germans wanted to get anywhere he could only do so by entering the state system of the foreign people as an official or an officer. It is no mere chance - (p. 13) I am not making spiteful assertions now but merely stating the facts - that, for instance, among Hungarian generals there is such a considerable percentage of men of German origin, who of course had, in most cases, to alter their names if they wanted to get anywhere. In many cases, if they did not do so, and remained obdurate about it, they were subsequently removed from office. I quote here as an example the present Chief of the Hungarian General Staff, General Sombaché, who in his youth at the Austrian Military Academy still had the thoroughly good German name of Knaus. May I remind you of Feldmarschall or Feldmarschall-Leutnant Raab, who as we all know, has now retired. Both are of German descent, and one could name countless hundreds of leading men in these South-Eastern States who are all of German origin, had to become part of the alien nation (Volkstum), and were then drained (eine Auslaugung bildeten) of their own most valuable national characteristics.

If, then, we get sons of these racial Germans (Volks-deutschtum) who have still survived there - (some are genuine volunteers, and others come as a result of a levy, for we have organised the racial groups from within the Reich through the SS, so that without possessing political power we have in fact, morally such strength and power among these people (Volkstum) that we can compel a man, compel him morally, to serve with us in Germany,

H1127 - 0055

due entirely to the power of the whole German national community) - if we therefore get these men, you must not make it difficult for them to enter our community by calling him by the name which you judge he will not wish to hear. A Saxon from Siebenburg will never let it be said that he is a Roumanian. It's just against that that he and his fathers have fought for 700 years. And a German from Hungary will never let it be said that he is a Hungarian. If you know how he has been thrashed by many a Hungarian gendarme, before he came to us, how his Mother was thrashed, and his parents driven from hearth and home, you can imagine how bitter it is for him if he now joins German service-men and they say: here comes a Hungarian. Or you can imagine how bitter it is for him when he is reproached for something which he cannot help. If we had not been to a German school we should not be able to read and write German either. If we had been forced, shall we say, to go to a Polish school, we should write Polish too, although we profess to be Germans. And that is often the case with these men. I must therefore expect of you understanding and human sympathy in this matter, and must expect. that the leaders in addition to their many other duties, will undertake to see that additional German instruction in reading, speaking and writing, be given to these men at every opportunity that is offered. I lay special emphasis on this matter, because by negotiations, we have now managed to make an arrangement enabling us in future to enlist even those Germans who up to now have been serving in the Roumanian army. So we can expect a great influx from the Germans of the South-East."

"We know that these clashes with Asia and Jewry are necessary (p. 16) for evolution. They give the cue (Auftakt) for the European Continent to unite. These clashes are the only evolutionary possibility which will enable us one day, now that Fate has given us the Führer Adolf Hitler, to create the Germanic Reich. They are the necessary condition, for our race, and our blood to create for itself and put under cultivation, in the years of peace, (during which we must live and work austerely, frugally and like Spartans), that settlement area in which new blood can breed, as in a botanical garden so to speak. [Sic!] Only by this means can the Continent become a Germanic Continent, capable of daring to embark, in one or (p. 17) two or three or five or ten generations, on the conflict with this Continent of Asia which spews out hordes of humanity. Perhaps we shall also have to hold in check other coloured peoples who will soon be in their certain prime, and thus preserve the world, which is the world of our blood, of our children and of our grandchildren. Now it is just this world we like the best, the Germanic world, the world of Nordic life. We know that this conflict with the advancing pressure from Asia, with the 200 million Russians, is necessary. And we shall win as sure as I am speaking here in the University of Kharkow. We shall have to pass through many a valley, many a narrow defile. Many will grow tired on the way. Of course they will mostly be those who have no reason to do so. To put it vulgarly, many will do something in their trousers. Many people will get shaky at the knees. The only thing that matters is that we stand firm. This is what is important for us as SS-men, for our province of duty and our mission (it is a task additional to those of the whole German Armed Forces and the whole German people): That is what I would like to impress upon you, this is what I beg you, as Commanding Officers, as Chiefs, and as leaders to teach the young men again and again in their ideological instruction. That is what I demand and exact of you, - that you really concern yourselves with the man, the young fellow of 17 to 18 who comes to us, and with many who are in our ranks not as volunteers but as conscripts. I ask you to look after them, and guide them, and not let them go before they are really saturated with our spirit and are fighting as the old guard fought before us - that is what I request and demand of you.

We have only one task, to stand firm and carry on the racial struggle without mercy. I will now say again something which I have already today said to the men elsewhere: we will never let that excellent weapon, the dread and terrible reputation which preceded us in the battles for (p. 18)

H1127-0056

for Kharkow fade, but will constantly add new meaning to it. They can call us what they like in the world, the main thing is that we are the eternally loyal, obedient, steadfast and unconquerable fighting men of the Germanic people and of the Führer, the SS of the Germanic Reich."

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CERTIFICATE OF TRANSLATION
OF EXTRACTS OF DOCUMENT
NO 1919-PS

13 November 1945

I, ESME SHERRIFF, 2/O, W.R.N.S., 36482, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Extracts of Document 1919-PS.

ESME SHERRIFF
2/O, W.R.N.S.
36482

Exhibit U.S.A. 241
Filed Dec. 13, 1945

H1127-0057

TRANSLATION OF DOCUMENT R 91
OFFICE OF U.S.CHIEF OF COUNSEL

Stamped: Personal Staff
Reichsfuehrer SS
File No.Secret/67

Reich Security Main Office (RSHA)
Communication of Information.

Received
Times Day Month Year
2 I00 16 12 42

from by
Berlin (initials)

Information Communication No. 219

DR BERLIN NUE NO 229793 16 December 42 2100 - GR -

TO: REICHSFUEHRER SS
At present: FIELD COMMAND POST
urgent - secret

In connenction with the increase in the transfer of labor to the concentration camps, ordered to be completed by 30 Jan 1943, the following procedure may be applied in the Jewish Section.

1. total number: 45.000 Jews
2. start of transportation: 11 Jan 1943

End of transportation: 31 Jan 1943 (The Reich railroads are unable to provide special trains for the evacuation during the period from 15 Dec 1942 to 10 Jan 1943 because of the increased traffic of armed forces leave trains.)
3. Composition: The 45.000 jews are to consist of 30.000 jews from the district of Bialystock, 10.000 jews from the ghetto Theresienstadt, 5.000 of whom are jews fit for work who herefore had been used for smaller jobs required for the ghetto, and 5.000 jews who are generally incapable of working, also over 60 year old jews. In order to use this opportunity for reducing the number of inmates now amounting to 48.000, which is too high in the interest of building up the ghetto, I am requesting special authority for this action. As herefore only such jews would be taken for the evacuation who do not have any particular connections and who are not in possession of any high decorations. 3.000 jews from the occupied Dutch territories, 2.000 jews from Berlin-45.000. The figure of 45.000 include the invalid (underlined) appendix (old jews and children). By use of a practical standard, the screening of the arriving jews in Auschwitz should yield at least 10.000 to 15.000 people fit for work (underlined).

For the chief of the security police &
the SD IV B 4 KLEIN A - 2093/42 KLEIN G
(3910)

signed: Mueller
Lt. Gen. (Gruppenfuehrer) of the SS.

R-91

H1127 - 0058

TRANSLATION OF DOCUMENT R 91
OFFICE U.S.CHIEF OF COUNSEL

CERTIFICATE OF TRANSLATION
OF DOCUMENT R 91

I, GOETZ MAYER, T/5 33812169, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation o f Document R 91

/s/ GOETZ MAYER
T/5 33812 169

Exhibit U.S.A. 242
Filed Dec. 13, 1945

H1127 - 0059

TRANSLATION OF DOCUMENT 2605 PS
OFFICE OF U.S. CHIEF OF COUNSEL

DR. REZSO (RUDOLPH) KASTNER

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2605 PS

H1127 - 0060

Dr. Rezsö (Rudolph) KASTNER, being duly sworn deposes and says:

I was born in 1906 at Kolozsvar (now Cluj, Rumania), solicitor and journalist, residing at Chemin Krieg, 16, Pension Sergey, Geneva. now temporarily at 109, Clarence Gate Gardens, London.

I was in Budapest until November 28, 1944; as one of the leaders of the Hungarian Zionist organization I not only witnessed closely the Jewish persecution, dealt with officials of the Hungarian puppet government and the Gestapo but also gained insight into the operation of the Gestapo, their organization and witnessed the various phase: of Jewish persecution. The following biographical data of mine might be of interest:

Between 1925-1940 — Political Editor of "Uj Kelet" Jewish daily newspaper published in Koloszvar; Secretary-General of the Parliamentary Group of the Jewish Party in Rumania.

Between 1929-1931 — Worked in Bucharest; member of the Executive of the Palestine Office of the Jewish Agency.

In Dec. 1940 — Being a Jew I was excluded from the Chamber of Lawyers; "Uj Kelet" the daily, was close down by the Hungarian authorities: I moved to Budapest.

Between 1943-1945 — Associate President of the Hungarian Zionist Organization.

July 1942 — I have been called up for Labor Service: together with 440 other Jewish intellectuals and citizens we worked in South-Eastern Transylvania on fortifications along the Hungarian-Rumanian border.

In Dec. 1942 — I was demobilized. Returned to Budapest. Some time before being drafted I have begun to organize relief work for refugee Slovakian Jews. After my demobilization I succeeded in establishing - through diplomatic couriers - contact with the Relief Committee of the Jewish Agency, working in Istambul. On their instructions I have taken over the leadership of the Relief Committee in Budapest. Our task was:

1) To help to smuggle Jews from Slovakia and Poland into Hungary to save them from the threat of the gas-chamber.
2) To feed and clothe them and to assist in their emigration to Palestine.
3) To forward the minutes based on the declaration of the refugees on the question of deportation and annihilation of Jews to Istambul, later to Switzerland, to the hands of the representatives of the Jewish Agency and the Joint Distribution Committee.
4) To co-operate with the Relief Committee of Bratislava in matters concerning saving, hiding of refugee Jews and exchange of information. After German occupation of Hungary, on the 19th March 1944, the Relief Committee concentrated its efforts on the saving of Hungarian Jewry.
5) The Relief Committee of the Jewish agency of which I was a president was engaged in helping Allied prisoners of war. Moreover we sent confidential reports to the Allies thru Istambul and Switzerland about our connections with officials of the German government. We helped to hide and supported leaders of the Hungarian underground and gave a wealth of information to those Hungarian authorities which were working against the Germans. During the siege of Budapest, when I was already out of the country, other members of the Relief Committee participated in street fights against the Germans.

On May 15, 1944 One of my collaborators, Eugen Brand was sent by the Germans to Istambul to pass on certain business proposals in connection with saving of the Hungarian Jews.

On 21 August 1944 I travelled from Budapest under German escort to the Swiss frontier and acted as intermediary for the first conversation between Kurt Becher and Saly Mayer, Swiss representative of the Joint D.C. to discuss the price of abandoning the gassing. The conversation took place between St. Margareten and Höchst on the bridge. From there I returned to Budapest.

On 14 October 1944 I travelled for the second time to St. Margarethen.

On 30 October 1944 I travelled to St. Gallen, accompanied by Kurt Becher and Kr. Wilhelm Billitz, director of the Manfred Weiss Works. On this occasion an interview took place between Becher and McClelland, Swiss representative of the War Refugee Board in the Savoy Hotel, at Zurich. I returned to Budapest.

On 28 November 1944 I left on German instructions to the Swiss border

On 20 December 1944 I entered Switzerland.

On 27 December 1944 I started out to travel back to Budapest, but could only get to Vienna. The Red Army encircled Budapest.

On 29 Dec.44-28 March 1945: I remained in Vienna. Afterwards toured Bratislava-Spitz an der Donau - Berlin - Bergen Belsen Hamburg - Berlin - Theresienstadt.

On 19 April 1945 I crossed the Swiss border.

The Germans entered into discussion with leaders of the Jewish community for reasons of administrative efficiency. We conducted the discussion in the hope that we might be able to save some human lives. By holding the ax over our heads they made us responsible for financial contributions and other exactions imposed on the Jewish community. Ultimately the leaders of the "Jewish council" and other intermediaries were also scheduled for extermination. The SS and the Gestapo was particularly intend on liquidating those who had direct knowledge of their operations. I escaped the fate of the other Jewish leaders because the complete liquidation of the Hungarian Jews was a failure and also because SS Standartenfuehrer Becher took me under his wings in order to establish an eventual alibi for himself. He was anxious to demonstrate after the fall of 1944 that he disapproved the deportations and exterminations and endeavored consistently to furnish me with evidence that he tried to save the Jews. SS Hauptsturmfuehrer Wisliczeny repeatedly assured me that according to him Germany cannot win the war. He believed that by keeping me alive and by making some concessions in the campaign against the Jews he might have a defense witness when he and his organization will have to account for their atrocities. Strangely he came to Hungarian Jews with the letter of recommendation from leading Slovak Jews. The latter were not deported in 1942 and were saved over until the end of 1944.

Major phases in the persecution of Hungarian Jewry.

Before the German occupation.

1. 17,000 Jews - mainly from Ruthenia - were deported to Poland in August 1941. There they were transferred to the German military authorities. These were executed during the succeeding three months. In Kamenetz-Podolsk alone 4,500 Hungarian Jews were shot dead. Responsible: Prime Minister Bordossy.

2. Between 23 and 25 January 1942 Hungarian military units "cleaned up" the southern region captured from the Yugoslavs. In Novisad they shot dead 1,500 Jews found at home or in the streets, or taken to the Serbian cemetery or to the beach. A further 2,000 Jews were only saved by an order

from Admiral Horthy. Commanders of the Military force were General Feketehalmi-Zeisler, General Bajor-Bayer and Captain Zöldi.

3. The so-called Jewish Labor companies, created within the framework of military pioneerservices,were in fact concentration camps organized on the German model. Of the 130,000 Hungarian Jews recruited by this means, about 50,000 died from starvation, typhus and shooting, 30,000 were taken prisoners by the Russians, 20,000 were deported to Germany; about 30,000 remained in Hungary.

Organizers of the "Labor Service" were Bartha, Minister for War, Werth Chief of the Military Staff.

After the German occupation.

19 March 1944: Together with the German military occupation arrived in Budapest a "Special Section Commando" of the German Secret Police with the sole object of liquidating the Hungarian Jews. It was headed by Adolf Aichmann, SS Obersturmbannfuehrer, Chief of Section IV.B of the Reich Security Head Office. His immediate collaborators were: SS Obersturmbannfuehrer Hermann Krumey, Hauptsturmfuehrer Wisliczeny, Hunsche, Novak, Dr. Seidl, later Danegger, Wrtok. They arrested, and later deported to Mauthausen, all the leaders of Jewish political and business life and journalists, together with the Hungarian democratic and anti-Fascist politicians; taking advantage of the "interregnum" following upon the German occupation lasting four days they have placed their Quislings into the Ministry of the Interior. These were Ladislas Endre and Ladislas Baky. Utilizing the Hungarian administrative organs they have:

a. Arrested all Jews arriving or leaving Budapest (about 2,500 persons, who were interned at Kistarcsa); and
b. Excluded the Jews from usingpostal and telephone facilities.
c. Took over for SS and German military purposes all Jewish public buildings, schools and hospitals.

On 23 March 1944 the Quisling Cabinet was formed, the purpose of which was - according to the statement made by Wisliczeny (to use in June 1944 in Budapest) - solely the solution of the Jewish problem. During the deliberations preceding the formation of the Cabinet, Prime Minister Sztojay undertook in the presence of SS Obergruppenfuehrer Winckelmann, Hungary's SS Commander, SS Standartenfuehrer Wesenmayer, new German Minister and Aichmann, that the Hungarian Government will do everything possible to help in the liquidation of the Hungarian Jewry. One anti-Jewish decree followed another after the Sztojay Cabinet took over. At the same time Krumey and Wisliczeny appeared in the building of the Budapest Jewish Committee and informed Samuel Stern, President, that the matters concerning the Hungarian Jewish problem would be henceforth "dealt with" within the competence of the SS. They warned the Jews against creating panic and obliged the Jewish leaders to form a "Jewish Council". A gigantic levy was imposed (money and goods worth about 11,000,000 pengös had to be handed over). When President Stern made an inquiry at the Hungarian Ministry of the Interior he was told: You must fulfill the German demands ..."

On the 26 March 1944 the whole of Ruthenia, Upper Hungary and Northern Transylvania were declared operational territory at the request of the German General Staff. During the next days that followed Aichmann, Wisliczeny and Hunsche had daily conferences with Ladislas Endre who received full authority from the Cabinet in matters concerning the Jews.

On 9 April 1944 the military authorities, with headquarters at Munkacs began the rounding-up of 320,000 Jews into Ghettoes within the operational area. In order to prevent any armed resistance by the Jews, they were concentrated in brick factories (as at Kassa, Ungvar, Kolozsvar) or under the open sky (as at Nagybanyam, Marosvasarhely, Des), in a few cases they were allowed to retire into some sections of the cities (as in Nagyvarad, Maramorossiziget), Food allocations: daily 1/5th of a lb. of bread and two cups of soup. From the Jews sent into the Ghettoes even matches were taken away.

3

H1127-0063

While an agreement was arrived at between Wesenmayer, German Minister and a representative of Sauckel on the one hand, and Prime Minister Sztojay, on the other, that Hungary would place 300,000 Jewish workers at the disposal of the Reich (who were to be selected by a mixed Hungarian-German committee), total deportation of all Jews was decided by Endre, Baky and Aichmann at a meeting in the Ministry of the Interior on the 14 April 1944.

Novak and Lullay left on the next day for Vienna to discuss the question of transport facilities with the management of the German railways.

A levy of 2,000,000 pengös each was imposed by the Gestapo on the Jews of Novisad and Ungvar. Jewish shops were looted by Germans. Despite a German protest, the Hungarian Government ordered the closing down of all Jewish shops. The Jews resisted in the Ghetto of Munkacs. The Gestapo shot 27 of them ,including the entire executive of the Jewish Community.

On 28 April 1944 the first deportation takes place; 1,500 persons suitable as laborers were taken from the Kistarcsa internment camp to Oswiecim. There, they were compelled to write encouraging notes to their relatives with datelines from "Waldsee". The notes were brought by an SS Courier to Budapest and were distributed by the Jewish Council

In the meantime the Budapest Relief Committee received two messages from the Bratislava Committee. One message said that there was feverish work going on in Oswiecim to restore the gas-chambers and crematoriums there, which were not working for months and a remark made by a SS-NCO that "soon we will get fine Hungarian sausages" was reported. The other message was to the effect that an agreemtnt was reached, between the Hungarian, Slovakian and German railway managements that, for the time being, 120 trains would be directed, via Presov, towards Oswiecim. This information was passed on to the Bratislava Relief Committee by an anti-Nazi Slovakian railway official. It was obvious that it concerned deportation trains.

The delegate of the International Red Cross, to whom I have appealed for intervention, stated that in view of the Geneva Convention this was impossible for him. The Swedish and Swiss Legations promised that they would report to their Governments and ask for instructions. After repeated appeals the Primate of the Catholic Church promised an intervention on behalf of the converted Jews. But Sztojay refused to listen.

After consulting with all Jewish leaders we turned to the Germans. At first Krumey, Wisliczeny and Hunsche negotiated with us; later Aichmann took over the negotiations. Aichmann arrived at Budapest on the first day of the German occupation, March 19, 1944. Wisliczeny arrived thereon March 22. The first time we negotiated was April 3. At first the Germans demanded a compensation of 2,000,000 dollars and promised that in return for this sum they would not deport anyone. Later Aichmann declared: "I can only sell the Hungarian Jews as from Germany. Brand should leave at once for Istambul and inform the Jews there and that Allies that I am prepared to sell 1.000,000 Hungarian Jews, for goods, primarily vehicles. I would transport them to Oswiecim and "put them on ice". If my generous offer is accepted I will release all of them. If not, they will all be gassed".

In the meantime the organization of the Ghettoes had been directed by Wisliczeny, who had been travelling from town to town. The Hungarian police and gendarmerie was at his disposal everywhere. Officially he only acted as an "Advisor" to the Hungarian authorities; in relaity everything took place on German orders.

15 May 1944 General and total deportation begins. One day before the evaucation all hosptial cases, newly-born babies, blind and deaf, all mental cases and prison inmates of Jewish origin were transferred to the Ghettoes. About 80-100 Jews were placed in each cattle-car with one bucket of water; the carewas then seaked down. At Kassa the deportation trains were taken over from the escorting Hungarian gendarmerie by the SS. While searching for "hidden valuables" the gendarmerie squads tortured the

inmates with electric current and beat them mercilessly. Hundreds committed suicide. Those who protested or resisted were shot at once (as for instance Dr. Rosenfeld, solicitor of Marosvasarhely).

The Hungarian press and radio kept quiet about the deportations. The Hungarian government denied in the foreign press that Jews were tortured.

Between 5 June and 8 June 1944 Aichmann told me: "We accepted the obligation toward the Hungarians that not a single deported Jew will return alive!"

H1127-0064

Up to 27 June 1944 475,000 Jews were deported.

The Pope and the King of Sweden intervened with Horthy. Then followed the ultimatum-like appeal of President Roosevelt to stop the brutal anti-Jewish persecutions. Thereupon Horthy has forbidden the deportation of the Jews from the capital which was already fixed to take place on July 5.

Endre, Baky and the Germans protested against this decision and a further 30,000 Jews were deported from Transdanubia; the outer suburbs of Budapest were also emptied. Horthy dismissed Endre. But Aichmann, Endre, and Baky continued to try to liquidate the Jews of the capital with the collaboration of the gendarmerie. Liberators bombed Budapest and the railway junctions which were to be used by the deportation trains. Horthy has ordered the mobilization of the Army against an attempted coup d'etat (8 july). The gendarmerie thereupon went over to Horthy's side. But Aichmann emptied the camp of Kistarcsa by secretly collaborating with the Camp Commander and another 1,700 Jews were transported off in the direction of Oswiecim. On Horthy's orders the train was stopped at the frontier and the people were brought back. But Aichmann repeated his coup after three days and prevented any information reaching Horthy in time.

On 15 July 1944 an ultimatum was handed over by Wesenmayer, German Minister to the Hungarian Minister of Foreign Affairs demanding the deportation of the Budapest Jews. The Hungarian Government replied in a note to the effect that it was prepared to transfer the Budapest Jews to satisfy demands of military security, but only within the borders of the country. (27 July).

Allied successes have strengthened the position of the Hungarian Government against the Germans. Lakatos, new Hungarian Prime Minister sent a note to the German Government demanding the recall of Aichmann and his staff from Hungary, the transfer of the German-controlled internment camps to Hungarian authorities and the handing over of Hungarian politicians and high-ranking officers in German captivity to the Hungarians.

On 25 August 1944 following instructions received from Himmler, Wesenmayer informed the Hungarian Government that its demands would be fulfilled by the Germans.

But on 15 October 1944 a German coup ended the Horthy regime and Szalasy took over power. On the 17 October Aichmann returns to Budapest by air. On his order the Arrow-Cross Party and the police began the deportation of all Jews locked into the houses marked by yellow-stars; 25,000 Jewish people, mostly women were made to walk over 100 miles in rain and snow without food to the Austrian border; hundreds died on the way, more died in Austria through exhaustion and dysentery. On the border the transports were taken over by Sisliczeny; 20,000 Labor Service men shared the same fate.

The German authorities were the same as before; the most active Hungarian collaborators were: Minister Emil Kovarcz, Solymosi, Under-Secretary of State and Ladislas Ferenczi, Lt. Col. of the gendarmerie.

On 8 December the deportations from Budapest stopped. According to Wisliczeny Aichmann refused to carry out Himmler's order to stop deportations until he received written instructions from Himmler himself. Until 11 Feb. 1945 the Arrow-Cross party-men did not stop to hunt down Jews in hiding, living on false papers; 10-15,000 Jews were shot on the shores of the Danube or in the streets during these two months. Thousands have died in

the Ghettoes, as well as intthe "protected houses" of the Swedish and Swiss Legations, as a result of enemy action, sickness or starvation.

The losses of Hungarian Jewry

The 1940-41 census found 762,000 persons of Jewish persuasion within what was then Hungarian territory. But the persecution was extended to the Converted Jews, as wellas to mixed marriages, of whom there were no official figures. Their numbers were estimated generally at 60,000.

According to figures estimated in August 1945:

There are at present in Budapest		150,000 Jews
In the provinces		40,000 Jews
In Transylvania (returned to Rumania), in Ruthenia (attached to Russia), in Upper Hungary (attached to Slovakia), and in the Backa (returned to Yugoslavia), there are estimated to be		50,000 Jews
	total	240,000 Jews
In territory occupied by the Allies and in Russia, Sweden and Switzerland approx.		50,000 Jews
	total	290,000 Jews.

H1127-0065

Of the 10,000 or so Slovakian, Polish, Yugoslav and German Jews who were in Hungary at the time of the German occupation only about 750 are still alive, according to a reliable estimate.

Therefore, a total of 540,000 Hungarians and 10,000 refugee Jews perished, of them

The Germans were responsible for the death of	450,000
The Hungarians were responsible for the death of	80,000
Suicides, sickness, enemy(allied) action	20,000
	550,000.

The figures concerning the deported Jews originate from Wisliczeny, who directed the deportations and was fully competent to give these figures.

It may be added that the objective of the new wave of deportations which started at the end of October 1944 was no longer Oswiecim. On this occasion older people, children and the sick were not deported. Those who remained alive after the long journey on foot were - in the majority - employed on fortifications works along the Austro-Hungarian border; a lesser number were sent to Oranienburg, Dachau and Bergen-Belsen.

General History of the Annihilation of the Jews Section IV.B. and the Annihilation of the Jews.

Pogroms and the creation of the Ghettoes organized in various centers in Poland during 1939-40 represented a period of hesitation. At that time the extinction of all European Jews was planned, but it was not finally decided upon. The Lublin "reservation", the playing of the Nazis with the idea of a Jewish center were expressions of this period of hesitation. The decision to exterminate the Jews was probably reached in 1941. In the occupied Baltic countries and in the Ukraine the SS formation working jointly with the Wehrmacht annihilated nearly all Jews (in the Baltic countries they were helped by the Latvians and Lithuanians). The mass-murder was carried out with the aid of bullets. The victims often dug their own tombs. Frequently they were buried alive. Then began the use of gas. The victims were killed by gas bursting out inside heremetically sealed lorries.

In the fall of 1941 - according to a statement of Wisliczeny - made to me in January 1945 in Vienna - Kaltenbrunner commissioned SS Standartenfuehrer Blobl to work out the plan of the gas chambers. In the opinion of Wisliczeny the initiative came from Aichmann. Hitler approved of the plan at once. The execution was entrusted to the Aichmann-Himmler-

6

Kaltenbrunner trio.

In December 1941 the first tests were carried out in Belzecz. According to a statement of Wisliczeny made to me in Vienna in February 45 it was a complete success. Thereupon three more death-camps were set up in Treblinka, Majdanek and Oswiecim. (Later a smaller camp was set up in Kalkini).

According to statements of Krumey and Wisliczeny in February or March 1945 a conference of the officers of IV.B. was called to Berlin by Aichmann in the spring of 1942. He then informed them that the Government decided in favor of the complete annihilation of the European Jews and that this will be carried out silently in the gas-chambers. "Victory is ours" declared Aichmann. "The end of the war is near. We must hurry as this is the last chance to free Europe of the Jews. After the war it will not be possible to utilize such methods".

Wisliczeny claims that he interjected the following remard to Aichmann's statement: "God help us that this method should never be possible against us".

Krumey confirmed this statement of Wisliczeny. He maintained that until the secret - which had to be kept strictly - was not revealed by Aichmann, some of the officers of IV.B. knew anything about it.

The entire machinery of the German State supported Section IV.B. in this work. In occupied countries the Commanders of the Wehrmacht and the Gauleiters (Seyss-Inquart, Frank, Heydrich, etc), in countries allied to Germany the German diplomats (killinger in Bucharest, Wesenmayer in Zagreb, later in Budapest) supported the work.

The plan of operation was almost identical in all countries; at first Jews were marked, then separated, divested of all property, deported and gassed.

The Officers of IV.B. travelled from country to country. Wisliczeny - according to his own admission - directed the deportation in Slovakia and Greece.

Brunner II. in Poland and Slovakia.
Krumey, Seidl directed the work in Hungary, Austria and Poland.
Seidl was the first commander of Theresienstadt.
Günther directed deportations in Austria and Czechoslovakia.
Danegger, Brunner in France.

H1127 - 0066

Almost everywhere the local Quisling authorities and even part of the civilian populations assisted them.

Commanders of the death-camps gassed only on direct or indirect instructions of Aichmann. The particular Officer Of IV.B. who directed the deportations from some particular country had the authority to indicate whether the train should go to a death camp or not, and what should happen to the passengers. The instructions were usually carried by the SS-NCO escorting the train. The letters "A" or "M" on the escorting instruction documents indicated Auschwitz (Oswiecim) or Majdanek; it meant that the passengers were to be gassed.

In case of doubt instructions by wire were asked from Aichmann in Berlin.

Regarding Hungarian Jews the following general ruling was laid down in Oswiecim: children up to the age of 12 or 14, older people above 50, as well as the sick, or people with criminal records (who were transported in specially marked wagons) were taken immediately on their arrival to the gas chambers.

The others passed before an SS doctor who, on sight, indicated who was fit for work, and who was not. Those unfit were sent to the gas chambers, while the others were distributed in various labor camps.

7

In September 1944 Slovakian partisans engineered a revolt in Banska-Bystrica. The Jewish youth joined the revolution enthusiastically. Aichmann thereupon sent SS Hauptsturmfuehrer Brunner to Bratislava with instructions to deport all the 17,000 odd Jews still left behind after the deportations of 1942. They were to go to Oswiecim.

SS and Hlinka-Guards arrested the Jews. They were transported from Sered. About 13,500 Jews were caught, the rest were in hiding. Following my appeal the A.J.D.C. of Becher Capt. Grüson journeyed to Bratislava and tried to intervene with SS Obersturmbannfuehrer Vitezka, Slovakian Gestapo Chief to stop the deportations. Vitezka's reply was: "As far as I am concerned I will agree readily if I get telegraphic authority from Kaltenbrunner to this effect". Becker said on 2 November 1944, in the Hotel Walhalla, St. Gallen, Switzerland, in the presence of the representative of the Joint D.C.: "We have militarily annihilated the Slovakian Jews".

In the first half of November 1944 about 20,000 Jews were taken from Theresienstadt to Oswiecim and were gassed, on instructions from Aichmann. As far as I could acertain this was the last gassing process.

According to Becher, Himmler issued instructions - on his advice - on the 25 November 1944 to dynamite all the gas-chambers and crematoria of Oswiecim. He also issued a ban on further murdering of Jews.

Wisliczeny confirmed the existence of such an order. But he maintained that Aichmann sabotaged this order and was supported in this by Mueller and Kaltenbrunner.

Following the advance of the Russian Army it was necessary to evacuate the Polish and Silesian camps. Some of the Jewish prisoners were sent to Bergen-Belsen or other camps. Most of the Jews found in these camps by the Allies arrived there either at the end of 1944 or at the beginning of 1945. Other Jews in the extermination camps were shot, or were frozen dead on the way.

There were no mass-murders in the months preceding the German surrender but owing to starvation - due partly to the collapse of the German transport system and the general lack of food - the sick and weakened Jews died by the thousands.

After the fall of 1944 Himmler granted several concessions. Thus he permitted the departure for Switzerland of 1,700 Hungarian Jews deported to Bergen-Belsen and also agreed to suspend the annihilation of the Jews of the Budapest Ghetto. Himmler permitted the handing over to the Allies the Jews of Bergen-Belsen and Theresienstadt without a shot being fired, which in his eyes and eyes of his colleagues was such a generous and colossal concession that he certainly hoped some political concession in return. In the hope of establishing contact with the Allies Himmler made some concessions even without expecting economic returns. To this desire of Himmler may be ascribed the general prohibition dated 25 November 1944, concerning the further killing of Jews. On 27 November 1944 Becher showed me a copy of Himmler's order on this subject. Aichmann at first did not aboy this order.

In accordance with my above described activities I had dealings among others with the following individuals:

Germans: Special Section Commando (for the Liquidation of Jews):
Adolf Aichmann, SS-Obersturmbannfuehrer, head of section IV.B. in the Reich Security Head Office and the following officers of his staff:

SS Obersturmbannfuehrer Guenther,
Danegger
Hermann Krumey
SS Hauptsturmfuehrer Dieter Wisliczeny
Dr. Seidl
Novak
Hunsche
Schmiedsieffen

H1127-0067

8

H1127-0068

Several NCO's, among them:
Hauptsturmfuehrer Richter,
Oberscharfuehrer Nuemann.

Special Staff (Economic Staff):
SS Standartenfuehrer Kurt Becher,
and some officers of his staff.

SS Standartenfuehrer Wesenmayer, German Minister in Budapest (after 19 March 1945)

Hungarians: Nicholas Mester, Under-Secretary of State in the Ministry of Education;

Ladislas Vitez Ferenczy, Lt. Col. of the Gendarmerie
Leo Lullay, Captain of the Gendarmerie;
Dr. Stephen Olah, Counsellor of the Ministry;
Ladislas Baky, Under- Secretary in the Ministry of Interior.

Hugarian Resistance Workers:
Henry Lazar, present Hungarian Under-Secretary of State to the Ministry of Agriculture;
Nicholas Kertesz, former Social-democraticmember of Parliament;
Bela Zsolt, journalist;
A. Bereczky, Trustee of the Calvinist Church.

Neutrals: Prof. Waldemar Langlet, Cultural Counsellor of the Swedish Legation;
Count Tolstov) Representatives of the Sweish Red Cross;
Paul Wallenberg) Head of the protection of Foreign
Consul Lutz) Interests Section of the Swiss Legation

Freidrich Born, delegate of the International Red Cross.
The Charge d'Affaires of the Swiss Legation.
The Charge d'Affaires of the Spanish Legation.

Jews: All members of the Jewish Council, especially Samuel Stern (Court Counsellor), Chairman of the Pest Jewish Community; Dr. Charles Wilhelm; Dr. Ernest Petoe, Dr. Boda (Chief Government Counsellor), Vice-chairman.

Philip Freudiger, President of the Orthodox Jewish Community and members of the council of that Community.

Otto Komoly, President of the Zionist Organization;
Nicholas Krausz, head of the Palestine Office of the Jewish Agency.

/s/ DR. KASTNER REZSO
/t/ (DR. REZSO (RUDOLF) KASTNER

Subscribed and sworn to before me this 13th day of September 1945 at the Office of the United States Chief of Counsel, 49 Mount Street, London W.1, England.

/s/ WARREN F. FARR
/t/ WARREN F. FARR
Major, Judge Advocate General's
Dept. Office, U.S. Chief of Counsel

Exhibit U.S.a. 243
Filed Dec. 13, 1945

TRANSLATION OF DOCUMENT L-215
OFFICE OF U S CHIEF OF COUNSEL

Summary of File of Dossier of Twenty Five persons arrested by Einsatzkommando der Sicherheitspolizei und des S. D. in Luxembourg for commitment to various Concentration Camps.

NAME	CHARGE	PLACE OF CONFINEMENT
	Note: Each charge begins with the following printed words in the form: "According to the finding of the State Police he endangers by his attitude the existence and security of the Peope and the State -	
WEFFLING	By working against the greater German Reich with the illegal Resistance Movement.	Natzweiler
KONEN	In that he is strongly suspected of working to the detriment of the Reich.	Dachau
KRIER	By disturbing the political set-up in Luxembourg through his activities in the LVL.	Dachau
WRIRICH	By being suspected of having helped his brother get out of military service and thus paving the way for further activity injurious to Germany.	Dachau
ORTH	By engaging in high treason as a member of the Luxembourg Volkslegion.	Dachau
NEY	By engaging in activities harmful to the great German Reich in the LVL.	Sachsenhausen
WECKERING	By engaging in high treason in an organization directed against the stability of the Great German Reich.	Dachau
WILHEIMY	" (ditto) "	Dachau
NEIERTZ	By engaging in high treason in the Luxembourg resistance organization, "LVL".	Dachau
WAGENER	By engaging in high treason as a member of the Luxembourg Volkslegion.	Dachau
HENRICY	By associating with members of illegal resistance movements and making money for them, violating legal foreign exchange rates, by harming the interests of the Reich and being expected in the future to disobey official administrative regulations and act as an enemy of the Reich.	Natzweiler
KRIER	By being responsible for advanced sabotage of labor and causing fear because of his political and criminal past. Freedom would only further his anti-social urge.	Buchenwald

2-215

H1127 - 0069

NAME	CHARGE	PLACE OF CONFINEMENT
RECKEN	By engaging in high treason in the service of the Luxembourg resistance movement "LVL".	Buchenwald
REIMER	By sabotaging military service.	Buchenwald
SIMON	By engaging in high treason in the service of the Luxemburg resistance movement "LVL".	Buchenwald
SPRANCK	By arousing decided unrest and disturbing the set-ups in Luxemburg through advanced and spiteful assertions inimical to Germany as well as aspersions and threats against persons active in the National Socialist Movement. By also sabotaging the execution of vital economic measures through disinclination to work.	Buchenwald
ENGEL	By engaging in high treason for the "LVL".	Sachsenhausen
MONTI	By being strongly suspected of aiding desertion.	Sachsenhausen
JUNKER	Because as a relative of a deserter he is expected to endanger the interests of the German Reich if allowed to go free.	Sachsenhausen
JAEGER	Because as a relative of a deserter he is expected to take advantage of every occasion to harm the German Reich.	Sachsenhausen
GODART	For engaging in activities harmful to the great German Reich in the Luxemburg Resistance Movement "LVL".	Sachsenhausen
ERPELDING	For engaging in high treason for the "LVL"	Sachsenhausen
SCHOLER	For engaging in treason in the illegal resistance organization "LVL".	Sachsenhausen
LUDWIG	For being strongly suspected of aiding desertion.	Dachau

H1127 - 0070

For each person above named is a dossier in form similar to the following on the prisoner WEFFLING.

Personal information of persons involved in political or espionage matters:

1.a) Surname.....Weffling.....

b) Christian name (underline name used)Peter Wilhelm.....

2. Address (exact).....Echtermach Vulportstr 1.....

a) Alias.....

b) Cover address.....

4. Occupation.....Post official.....

5. Year and date of birth..9/3/12.....Place of birth.Grevenmacher.

6. Schools attended.....

7. Family Status (Single, married, widowed, divorced).....

a) Nationality and address of wife....Anna nee Brimeyer (as above).....

b) " " of father..Whilhelm Weffling, Plasterer.....

.....

c) Nationality and address of mother..Flise nee Kahn (as above).....

d) " " of other relatives..Brother Willi Weffling....

.....Carpenter.....Grovenmacher, Weberstr 1.....

8. Political views and/or functions.....

PERSONAL DESCRIPTION

9. Height: estimated or measured (without footwear).....1.76 cm.....

10. Figure (strong, thickset, slim, weak).....

11. Carriage: (bent, especially straight, leaning to right or left, head to one side).....

12. Walk: (shuffling, lively, unsteady, light, gracious, quiet, limping, large or small steps, shift-legged).....upright.....

13. Shape and colour of face (e.g. round, oval, square, health, pale.....

.....fresh complexion, lean.....

14. Hair: (light, medium, dark-blond, brown, black, red, white, grey, greying) thickness and style).....

15. (colour, shape).....

16. Eyes: (blue, grey, light, dark, black, brown).....

17. Forehead (sloping, perpendicular, sloping forward, very high, very low, very wide, very narrow.....

18. Nose: bent in, straight, turning up, bent outward, bent at an angle, wavy, large, small, broad, thick.....

19. Ears: (round, oval, three-cornered, square, large, small, protruding, flat).....

20. Mouth: (large, small, thin, thick, or very thick-lipped)..Medium.....

21. Teeth: (e.g. complete, having gaps, gold teeth).....1.....

22. Languages: e.g. dialect, foreign languages, low or high pitched voice, stutter, lisp.....German, French, Luxemburg dialect.....

23. Particular marks of indentification: (tattooing, scars, marks, bow legs, crippled, limping gait).....scar 15 cm long over navel.....

H1127 - 0071

H1127-0072

24. Clothing (e.g. smart, sloppy, simple).....

25. Fingerprints:- taken.....

x)underline where applicable.

(three photographs, two side-face, one full face)

Taken on: 15 2 1944

by

Name: Keszemack

Rank: Krim Sekr (Criminal Secretary)

Give Outline of Political History (next page)

Einsatzkommando of the Security Police and Security Service

in Luxemburg Luxemburg, 15.6.44

To: Office of the Commandant of the Concentration Camp at NATZWEILER.

Subject: Peter Weffling, born 9/3/12 in Grevenmacher.
Richard Henricy, born 16/5/12 in Tetingen.

Reference: None.

The (female) prisoners in protective custody in the court prison in the penal institution at Trier are to be taken to the Concentration Camp at Natzweiler. The police administration penal institution at Trier is charged with the carrying out of the transport. Please inform me when the delivery has been effected.

By Order

RUNGE

Secret State Police
Secret State Police Bureau

Berlin SW 11, 23/2/44
Prinz-Albrecht-Strasse 8

IV C 2-H No. W 25970

at present: Prague

ORDER FOR PROTECTIVE ARREST

Christian Name and Surname:	Peter Weffling
Date and Place of birth:	9.3.12 in Grevenmacher.
Occupation:	Postoffice employee
Marital Status:	-
Nationality:	Luxemburg
Religion:	Catholic
Race (if non Aryan):	

H1127 - 0073

Address: Echternach, Vulport 1

Will be taken into protective custody

Reasons:

According to the finding of the State Police he endangers by his attitude the existence and security of the People and the State, in that he is treasonously active in an illegal Resistance Organization directed against the existence of the Greater German Reich.

Signed: Dr. KALTENBRUNNER

Witnessed: RUNGE
Kriminalrat.
(Criminal Councillor)

Einsatzkommando of the Security Police and the Security Service in Luxemburg. Luxemburg, 15.6.44

3358 - IV 6 b - 832/43

To
The Concentration Camp
Natzweiler

1. Subject: Prisoner Grade II

Peter Wilhelm Weffling, in security custody
born on 9.3.12 in Grevenmacher
Living at Echternacht, Vulpertstr, 1.
Occupation: Postoffice official Married.
Nationality: Luxemburger.
Jew: No. Recipient of annuity: No.
Draft office is notified.
Recruiting district command is notified.
Concentration Camp Natzweiler,

To

Einsatzkommando of the Security Police and SD in Luxemburg.

Subject: Peter Weffling, under arrest. Born 9.3.12
Reference: Your communication dated 15.6.44 No. -

The above mentioned prisoner received here:

By order

Concentration Camp Natzweiler,

To

RSHA - Ref. IV C 2 - Berlin.

Subject: Prisoner, in protective custody, Peter Weffling Born 9.3.12
Reference: Your order dated 11.5.44 Prison No. W-25970
Enclosures: 1

The above mentioned prisoner received here.....
Documents enclosed.

By order.....

H1127 - 0074

2. By decree of the RSHA - IVC 2 protective custody and at the same time transfer as a prisoner, grade II, to the Concentration Camp there is ordered against prisoner No. W 25970, General No._____(collective protective custody regulation) mentioned above. The prisoner is completely fit for imprisonment, camp, and labor. Gav administrative office of the National Socialist Welfare Organization, and the Gav Women's organization leader has - have been informed. Certified copy of order for protective custody and extract from the police proceedings referring to the prisoner particularly on the cause for the protective custody are enclosed.

By order,

RUNGE

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. L-215

25 November 1945.

I, L. DAVENPORT, 32496587, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a correct and true translation of Document No. L-215.

L. DAVENPORT
32496587.

Exhibit U.S.A. 244
Filed Dec. 13, 1945

TRANSLATION OF DOCUMENT 1165-PS
E X C E R P T S -
OFFICE OF U S CHIEF OF COUNSEL

Concentration Camp Gross Rosen
Office of the Commandant
Gr.Ro./Az.: KL.14f I/10.41/Su/Wa
Geh.Tgb.Nr. 117/41

Gross Rosen, 23 October 1941

S E C R E T

Subject: Execution of Russian PWs

Reference: Oral conference with SS Major General Muller, Gestapo, Berlin

Annexes: - 1 -

To: Major General Müller
Berlin, Prinz-Albrechtstrasse

The commandant's office of the concentration camp Gross Rosen submits in the annex a list of the Russian PWs who were executed on 22 October 1941 from 1700 - 1800 and who were subsequently cremated. The inspector of the concentration camp Oranienburg was separately notified from this station.

The Camp Commandant of the Concentration Camp Gross Rosen

(initials illegible)

SS Lt Colonel

- -

L I S T Gross Rosen

List of the PWs who are to report on 22 October 1941 for transportation from the "S" Camp

Current No.	Stalag No.		
1	45860	Nikolai Troitzki	1/2/21
2	45861	Konshantin Marfenkow	6/5/22
3	45862	Wassili Mainko	23/3/20
4	45863	Wladimir Warnaschin	24/7/19
5	45864	Nikolai Pankratow	23/8/20
6	45865	Pietr Gorelow	8/6/21
7	45866	Jefgeni Pianitzki	18/3/19
8	45867	Georgi Koschuchowski	10/7/16
9	45868	Alexander Konowalow	3/9/20
10	45869	Alexander Ibrigänow	1/4/07
11	45870	Michael Ignatow	20/9/09
12	45871	Jakow Jakolow	21/7/16
13	45872	Jakow Barsukow	22/11/05
14	45873	Georg Wirkejenko	19/4/13
15	45874	Nikolai Ibrielow	3/5/15
16	45875	Wladimir Aleschkow	19/4/20
17	45876	Iwan Korolow	14/6/11
18	45877	Apolon Dimentzow	18/3/18
19	45878	Wassili Kirisanow	14/1/10
20	45879	Alexi Merkulow	11/4/15

Neuhammer, 22 October 1941

True copy

signed: THIELE

• • • • •

1165PS

TRANSLATION OF DOCUMENT 11
E X C E R P T (cont.)

The Chief of the SIPO and the SD
B Nr 2009 B/41g - IV A I c

1165 PS

Berlin, 9 November

S E C R E T

SPECIAL DELIVERY

Subject: Transportation of the Russian PWs, destined for execution, into concentration camps

Previous correspondence: None

Annexes: ..... Annexes

The commandant of the concentration camps are complaining that 10% of the Soviet Russians destined for execution are arriving in the cam or half dead. Therefore the impression has arisen that the Stalags are g rid of such prisoners in this way.

It was particularly noted that, when marching, for example from railroad station to the camp, a rather large number of PWs collapsed on t from exhaustion, either dead or half dead, and had to be picked up by a t following the convoy.

It cannot be prevented that the German people take notice of th occurrances.

Even if the transportation to the camps is generally taken care by the Wehrmacht, the population will still attribute this situation to t

In order to prevent, if possible, similar occurrances in the fu I therefore order that, effective from today on, Soviet Russians, declare definitely suspect and obviously marked by death (for example with typhus who therefore would not be able to withstand the exertions of even a shor on foot, shall in the future, as a matter of basic principle, be excluded the transport into the concentration camps for execution.

I request that the leaders of the Einsatzkommandos be correspon informed of this decision without delay.

Distribution:

All offices of the State Police
To the CO of the SIPO and the SD Metz
To the CO of the SIPO and the SD Strassburg

For the information of:

The Reichsfuehrer SS and the Chief of the German police
The Chief of the SIPO and the SD
The Chiefs of Departments I to VII
Gruppenleiter IVD SS Lt Col Dr WEINMANN
The higher SS and Police Chiefs - except in the Hague
The Inspectors of the SIPO and the SD
The Commanders in Chief of the SIPO and the SD - except in Metz and Stra
The Commanders of the SIPO and the SD
The Inspectors of the concentration camps
All commandants of the concentration camps

For:

signed: MÜLLER

Certified:

signed: L. WOLFERT
Office Girl

H1127 - 0076

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1165-PS

30 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpts of Document No 1165-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1127 - 0077

Exhibit U.S.A. 245
Filed Dec. 13, 1945

H1127-0078

TRANSLATION OF DOCUMENT 2309-PS
OFFICE OF U.S. CHIEF OF COUNSEL

2309 PS

HEADQUARTERS
THIRD UNITED STATES ARMY
JUDGE ADVOCATE SECTION
WAR CRIMES BRANCH

3 JA 122

APO 403
21 June 1945

SUBJECT: Report of Investigation of War Crimes.

TO : Commanding General, Third United States Army, APO 403.

I. AUTHORITY

1. This investigation was conducted in conformity with letter, Headquarters European Theater of Operations, file AG 000.5, OpJA. Subject: Establishment of War Crimes Branches, 24 February 1945. by 2d Lt. John J. Reid, AUS, Investigator-Examiner, from 25 April 1945 to 2 May 1945 inclusive and pursuant to directive of Commanding General, Third United States Army, a copy of the order which is attached hereto as Exhibit A.

II. MATTERS INVESTIGATED - FLOSSENBURG CONC. CAMP (P-3338)

2. a. Killing of interned Allied National Civil population and Allied National PWs by various cruel and inhuman methods such as neck-shooting, hanging, poison injections, forced suicides, lack of medical treatment, starvation, beatings, and other numerous inhuman methods purposely inflicted to result in death, (Violation of Geneva Prisoners of War Convention, Rules of Land Warfare and the customary law as observed by Civilized Nations).

b. Living and working conditions of internees which were beyond physical endurance and resulted in a systematic elimination of prisoners.

c. Starvation rations of internees which resulted in death and permanent physical impairment of prisoners.

d. Cruel and inhuman treatment and methods used by members of the German Armed Forces and/or persons under their immediate command against Allied National Civilians and Allied National Prisoners of War. (Violation of Article 2 of the Geneva Convention. Paragraphs 73, 80, 82, 83, 84, 85, 86, 87, 88, 89, 102, 105, 119, 127, 129, 132, 172, FM 27-10 Rules of Land Warfare and in violation of the customary law observed by Civilized Nations)

e. Unlawful killing by shooting, hanging and other methods, of Allied National Civil population who had been interned and/or otherwise arrested by members of the German Armed Forces (Violation of the customary laws observed by civilized nations).

III. PROCEEDINGS

3. a. The testimony of all witnesses examined in the course of this investigation was secured through the use of an interpreter after the witness had been sworn under authority of Article of War 114, in the following form: "You swear that the evidence you shall give in this investigation now being conducted shall be the truth, the whole truth, and nothing but the truth, So help you God." The examination of each such witness where practically was conducted in my presence.

2309PS

H1127 - 0079

In the case at hand, it being impracticable to use a stenographic-reporter, the witness after having first been duly sworn was questioned regarding his knowledge of the matters under investigation. The witness then propounded his testimony in a narrative statement in his own handwriting, where practicable, and in his own native language. The witnesses then after being sworn signed the statement. The interpreter was also sworn in the following form: "You swear that you will truly interpret in this investigation now being conducted. So help you God".

b. The transcribed sworn testimony of each such witness whose name is listed below is hereto attached as an exhibit, the number of which is indicated in the lower right hand corner of the paper preceded by the letter "B".

SWORN STATEMENTS OF WITNESSES: See Appendix (1) for index and exhibits.

UNSWORN STATEMENTS, LETTERS, REPORTS, ETC: See Appendix (2) for index and exhibits.

c. PHOTOGRAPHS:

1. Photographs of some of the SS personnel of CAMP FLOSSENBURG. See Appendix (3) for index and photographs.

2. Atrocity scenes. See Appendix (4) for index and photographs.

IV. SUMMARY OF FACTS

4. CONCENTRATION CAMP FLOSSENBURG (COORD. P-3338), was founded in 1938 as a camp for political prisoners. Construction was commenced on the camp in 1938 and in was not until April 1940 that the first transport of prisoners was received. From this time on prisoners began to flow steadily into the camp (Exh. B-1). FLOSSENBURG was the mother camp and under its direct control and jurisdiction were 47 satellite camps or outer-commandos for male prisoners and 27 camps for female workers. To these outer-commandos were supplied the necessary prisoners for the various work projects undertaken.

Of all these outer-commandos HERSBRUCK and LEITMERITZ (in Czechoslovakia), OBERSTAUBLING, HULSEN and SAAL, located on the Danube, were considered to be the worst. The work at these camps mainly consisted of underground labor, the purpose being the construction of large underground factories, [redacted] etc. This labor [redacted] completely underground and as a result of the brutal treatment, working and living conditions, a daily average of 100 prisoners died. To the one camp OBERSTAUBLING, 700 prisoners were transported in February 1945 and on the 15th of April 1945 only 405 of these men were living (Exh. B-1). During the 12 months preceding the liberation, FLOSSENBURG and the branch camps under its control accounted for the death of 14,739 male inmates and 1,300 women. These figures represent the deaths as were obtained from the available records in the camp, however, they are in no way complete as many secret mass executions and deaths took place. In 1941 an additional stockade was added at the FLOSSENBURG CAMP, to hold 2,000 Russian prisoners. From these 2,000 prisoners only 102 survived. (Exh. B-1)

H1127 - 0080

TRANSLATION OF DOCUMENT 2309-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

FLOSSENBURG CONCENTRATION CAMP can best be described as a factory dealing in death. Although this camp had in view the primary object of putting to work the mass slave labor, another of its primary objectives was the elimination of human lives by the methods employed in handling the prisoners. (Exh. B-2)

Hunger and starvation rations, sadism, housing facilities, inadequate clothing, medical neglect, disease, beatings, hangings, freezing, hand hanging, forced suicides, shooting, etc., all played a major role in obtaining their objective. Prisoners were murdered at random, spite killings against Jews were common. Injections of poison and shooting in the neck were everyday occurrences. Epidemics of typhus and spotted fever were permitted to run rampant as a means of eliminating prisoners. Life in this camp meant nothing. Killing became a common thing, so common that a quick death was welcomed by the unfortunate ones. (See following List of Exhibits as References)

Hunger and Starvation	Exh. B-1, B-2, B-3, B-4
Freezing	Exh. B-11
Medical Neglect	Exh. B-11, B-12
Torturous Beatings and Floggings	Exh. B-1, B-2, B-6, B-12 B-9, B-11, B-13, C-2
Forced Suicides	Exh. B-2, B-13
Hangings	Exh. B-1, B-2, B-4, B-5, B-6 B-7, B-12, C-2
Hand Hangings	Exh. B-11
Poison Injections	Exh. B-1, B-3, C-1, C-2
Typhus and Spotted Fever	Exh. B-1, B-2, B-9, C-1, C-3
Shooting	Exh. B-6, B-2, B-3, B-13, B-15

The system set up at this camp seemed to be one of mass elimination of the prisoners caused by devious means. Starvation diets wilfully designed to produce death within a few months played a major role. Typhus and spotted fever were encouraged as a means of disposing of many. There were innumerable executions, mistreatments, beatings, flogging to death, which continued up until the time this camp was overrun by our forces. Mass hanging took place. Generally, the persons hanged were stripped naked. Oftimes they were beaten before hanging till the unfortunate victims begged for immediate hanging to ease the pain. At first the SS men in charge of the hanging were given extra rations for each hanging. Later on the hangings became so numerous that the extra rations were stopped. Hanging a person by his wrists with a heavy barrel suspended from his ankles was another method of execution. This caused the person's insides to be torn up and he died. (Exh, B-11) On Christmas 1944 a number of prisoners were hung at one time. The prisoners were forced to view this hanging. By the side of the gallows was a decorated Christmas-tree and as expressed by one prisoner "it was a terrible sight, that combination of prisoners hanging in the air and the glistening Christmas tree". (Exh. B-12)

In March or April, 13 American or British parachutists were hung. They had been delivered to this camp sometime before and had been captured while trying to blow up bridges. (Exh. B-7, B-8a&b)

Many thousands were tortured and killed by every known method. New methods of brutal punishment and torture killing were devised by certain members of the camp who became particularly known for their sadistic methods.

H1127 - 0081

On April 20, 1945, approximately 15,000 prisoners were assembled to make a forced march in the direction of CONCENTRATION CAMP DACHAU. The evacuation of these prisoners was caused by the impending capture of the camp by the Allies. These 15,000 prisoners were lined up in three groups and started on this march. Only those prisoners who could walk were taken and before leaving FLOSSONBURG, many were executed, as also were those who collapsed in rank awaiting the movement to start the trek. No provision was made for the feeding of these prisoners or sleeping on this trip. They marched in long columns guarded by SS guards. (Exh. C-2)

Thousands were killed on the way and the paths which they took were littered with the dead. Groups of from 5 to 50 were taken out and forced to dig pits and then were shot. (Exh. B-14, B-15, C-4, C-5) Many graves were not even covered. As the already starved and weakened prisoners fell from exhaustion, a group of SS guards bringing up the rear would kill them by a shot in the back of the head. All who fell out of line were immediately executed in this manner. Death was also caused by beatings or bashings in the skulls. (Exh. B-1, B-3, B-13, E-17)

The prisoners marched from Friday till Monday during which time they received only 100 grams of bread. They marched in the rain and sleet in the fields in the mud and water. Many died from exhaustion. On the 23rd day of April 1945, between the towns of CHAM (U-5850) and RODING (U-4868), they were liberated by the American Troops. (Exh. B-3, B-13) (Photographs taken near WETTERFIELD (U-5070) of one of the graves on this march.) (Exh.E-1 to E-17)

5. The victims of FLOSSENBURG included among them, Russian, civilians and prisoners of war, German nationals, Italians, Belgians, Poles, Czechs, Hungarians, British and American prisoners of war. No practical means was available to complete a list of victims at this camp, however, since the foundation of the Camp in 1938 until the day of liberation it is estimated that more than 29,000 inmates died. (Exh. B-1)

6. PERPETRATORS

This camp was controlled and run by one class of people, SS troops. The list of perpetrators includes a few civilian prisoners, who managed to gain favor with the SS by carrying out orders of execution and beatings upon their fellow inmates. These prisoners who obtained their immunity and privilege at the cost of other men's lives are deemed equally as guilty.

The citations referred to in the list of perpetrators is by no means complete nor is the list of guilty persons complete. (See Appendix (5) for index and exhibits.)

V. CONCLUSIONS

7. That the exploitation, killing and atrocities committed upon prisoners was a part of a well regulated scheme or plan of the NAZI SS GROUP, is clearly indicated by the evidence presented here and resulted in the death of thousands.

FLOSSENBURG CONCENTRATION CAMP, GERMANY, was the scene of every type and form of Nazi brutality and atrocity committed upon the unfortunate individuals who happened to be sent to this camp. Practically every nationality of Europe was at sometime or another represented in this camp. The majority of prisoners, however, were Russians and Poles. No line of demarkation was made between sexes. Men, women and children were executed in the most brutal fashions.

H1127-0082

TRANSLATION FO DOCUMENT 2309-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

The responsibility for this camp must be placed upon all personnel who held an active part as a member of the organizational set-up. Whether these persons were ones who actually inflicted the mortal punishment is of little consequence. They all at the least failed to lift a restraining hand in the punishments and atrocities committed upon the inmates therein.

JOHN J. REID
2d Lt, AUS

Exhibit U.S.A. 246
Filed Dec. 13, 1945

TRANSLATION OF DOCUMENT 1650-PS
OFFICE OF U.S. CHIEF OF COUNSEL

H1127-0083

SECRET STATE POLICE - STATE POLICE OFFICE COLOGNE

Branch Office, Aachen

To be transmitted in secret - To be handled as a secret government matter.

DOR. BERLIN NUE 19 507 March 4 1944 1430 - WF -
To all State Police Directorates except PRAGUE and BRUNN -
Inspectors of the Security Police and of the Security Service.

Concerns: Measures to be taken against captured escaped prisoners of war who are officers or not working non-commissioned officers, except British and American prisoners of war.

The Supreme Command of the Army has ordered as follows:

1. Every captured escaped prisoner of war who is an officer or a not working non-commissioned officer, except British and American prisoners of war, is to be turned over to the Chief of the Security Police and of the Security Service under the classification "Stop III" regardless of whether the escape occurred during a transport, whether it was a mass escape or an individual one.

2. Since the transfer of the prisoners of war to the security police and security service may not become officially known to the outside under any circumstances other prisoners of war may by no means be informed of the capture. The captured prisoners are to be reported to the Army Information Bureau as "escaped and not captured". Their mail is to be handled accordingly. Inquiries of representatives of the Protective Power of the International Red Cross, and of other aid societies will be given the same answer.

3. If escaped British and American prisoners of war who are officers or not working non-commissioned officers, respectively, are captured they are to be detained at first outside the prisoner of war camps and out of sight of prisoners of war; if Army owned buildings are unavailable they are to be placed in a police custody. In every instance the Corps Area Command will request speedily the Supreme Command of the Army (Chief, Prisoner of War Section) for a decision as to whether they are to be turned over to the Chief of the Security Police and of the Security Service.

In reference to this, I order as follows:

1. The State Police Directorates will accept the captured escaped officer prisoners of war from the prisoner of war camp commandants and will transport them to the Concentration Camp MAUTHAUSEN following the procedure previously used, unless the circumstances render a special transport imperative. The prisoners of war are to be put in irons on the transport-- not on the station if it is subject to view by the public. The camp commandant at MAUTHAUSEN is to be notified that the transfer occurs within the scope of the action "KUGEL" (Translator's note: the literal translation of "KUGEL" is "bullet"). The State Police Directorates will submit semi-yearly reports on these transfers giving merely the figures, the first report being due on 5 July 1944 (sheep). The report is to be made under the reference "Treatment of Captured Escaped Prisoners of War who are officers within the Scope of the Action "KUGEL". In the case of special events, reports are to be submitted immediately. The State Police Directorates will maintain exact records.

165019

2. For the sake of secrecy, the Supreme Command of the Armed Force has been requested to inform the prisoner of war camps to turn the captured prisoners over to the local State Police Office and not to send them directly to MAUTHAUSEN.

3. Captured escaped British and American officers and not working non-commissioned officers are to be detained in police custody in a city in which a State Police office is located provided the Army has no suitable quarters. In view of the existing crowding of police prisons, the State Police officer will accept captured prisoners only if the Army actually does not dispose of any suitable space. The prisoner of war camp commandants are to be contacted in reference to their quarters immediately after the receipt of this order. In the interest of the secrecy of this order, confinement outside of police jails., e.g. in Labor Education Camps is not permissable.

4. If escaped prisoners of war who are officers and not working non-commissioned officers except British and American prisoners of war are captured by police authorities reasons of practicability render it unnecessary to return the prisoner to the prisoner of war camp commandant once the facts have been clarified adequately. The prisoner of war camp is to be informed of the capture and is to be requested for a transfer under the classification "Step III". Captured escaped British and American prisoners of war who are officers and non-commissioned officers are always to be turned over to the Army.

5. The city and county police authorities are not to be informed of this order.

Chief of the Security Police and of the Security Service
IV D5d - B.NR. 61/44 GRS. - For the Chief - (signed) MULLER. SS General.

Branch Office Aachen.

Aachen 6 March 1944

IV D No. 26/44 g Rs

1. Two extract copies were made of this order.
   1st Copy to IV A - 6 March.
   2nd Copy to IV D - 2 March.
2. To be filed with IV C. - IV 3 Noted.

ROSCHER 19 June

(two illegible signatures)

- - - - - - - - - - - - - - - -

I, Herman Marcuse, being first duly sworn, state that I acted as sworn interpreter in this matter and that the foregoing is a true and correct translation of the attached document, made to the best of my ability.

/s/ Herman Marcuse
HERMAN MARCUSE, 12155745
Tec 4, JA Section
H2 12th Army Group

Subscribed and sworn before me at Headquarters 12th Army Group, this seventh day of May 1945.

/s/ Henry H. Mize
HENRY H. MIZE
Lt. Col, JAGD.

H1127-0084

Part of USA 219

TRANSLATION OF DOCUMENT R-129
OFFICE OF U.S. CHIEF OF COUNSEL

Stamp: Personal Staff Reichsfuehrer
SS Document Administration
File No. AR 1/24

Translation

The Chief of
the SS-Main-Office Economics and Administration

Ch.Po/Ha
2192/42 g.

Berlin, 30 April 1942

Re: Attachment of the Inspectorate of the Concentration Camps to the SS-Main-Office Economics and Administration.

The Reichsfuehrer-SS
Berlin, W 11.
Prinz Albrechtstr 8

pencilled note: education and supervision remain the same (initials) HH (?)

Reichsfuehrer!

Stamp: Secret

Today I report about the present situation of the concentration camps and about measures I have taken in order to carry out your order of the 3rd March 1942.

I

1.) At the outbreak of war there existed the following concentration camps:

a)	Dachau	1939	4,000	prisoners,	today	8,000
b)	Sachsenhausen	"	6,500	"	"	10,000
c)	Buchenwald	"	5,300	"	"	9,000
d)	Mauthausen	"	1,500	"	"	5,500
e)	Flossenburg	"	1,600	"	"	4,700
f)	Ravensbrueck	"	2,500	"	"	7,500

2.) In the years 1940 to 1942 nine further camps were erected, viz:

a) Auschwitz
b) Neuengamme
c) Gusen
d) Natzweiler
e) Gross-Rosen
f) Lublin
g) Niederhagen
h) Stutthof
i) Arbeitsdorf

3.) These 15 camps conformed to the organization of the old concentration camps in regard to duties, work, composition of the commanding staffs, and discipline of camps for protective custody. Besides these 15 camps the following special duties have been assigned:

a) to SS-Special Camp Hinzert: Commanding staff and guards are under my orders. The camps for protective custody is attached to the Reich-Main-Office-Security. No work-shops, no opportunity.

b) Camp for the protection of youth - Moringen: No workshops.

c) Camp for the protection of youth - Uckermark: Is being erected.

R-129

d) Camp for the protection of youth Litzmannstadt: is planned.

4.) In the last weeks the Reich-Main-Office-Security and the Command-Authority of the Waffen-SS have applied for SS-Commanders for the Camps planned by these authorities in Riga, Kiew, and Bobruisk.

I think it right to submit such plans to the SS-Main-Office-Economics and Administration, so that they may be planned and carried out uniformly by one authority for SS and Police, so as it is now. There may easily be lack of collaboration and consequently ensuing muddle.

II.

1.) The war has brought about a marked change in the structure of the concentration camps and has changed their duties with regard to the employment of the prisoners. The custody of prisoners for the sole reasons of security, education, or prevention is no longer the main consideration. The mobilization of all prisoners who are fit for work, for purposes of the war now, and for purposes of construction in the forthcoming peace, come to the foreground more and more.

2.) From this knowledge some necessary measures result with the aim to transform the concentration camps into organizations more suitable for the economic tasks, whilst they were formerly merely politically interested.

3.) For this reason I have gathered together all the leaders of the former inspectorate of Concentration camps, all Camp-Commanders, and all managers and supervisors) of work on the 23rd and 24th April 1942, I have explained personally to them this new development. I have compiled in the order attached the main essentials which have to be brought into effect with the utmost urgency if the commencement of work for purposes of the armament industry is not to be delayed.

4.) The transfer of the Inspectorate of the Concentration Camps to the Main-Office Economics and Administration has been carried out under full agreemtnt of all Main-Offices concerned. The collaboration of all authorities goes on without any friction, the abolishment of lack of coordination in the concentration camps is hailed everywhere as the shedding of the fetters hindering progress.

Heil Hitler!

Signed: POHL

SS-Obergruppenfuehrer and General of the Waffen-SS.

1 enclosure.

H1127 - 0086

Stamp: Personal Staff Reichsfuehrer SS
Document Administration
File No. AR/1/24

Translation

The Chief of
the SS-Main-Office-Economics and Administration

Ch. Po/Ha. Berlin, 30th April 1942

Distribution: Chief Department D
all Camp-Commanders
all work-managers
all authorities economics

pencilled note:
agreed
(initials) HH(?)

Order

The instructions and advices given to the camp-commanders and work managers at the occasion of the discussions of 24th and 25th April 1942, are herewith issued as an order to become applicable as from the 1st May 1942.

1.) The management of a concentration camp and of all the economic enterprises of the SS within its sphere of organization is in the hands of the camp-commander. He alone is therefore responsible that the economic enterprises are as productive as possible.

2.) For the management of the economic enterprises the camp-commander agails himself of the services of the work-manager. The work-manager is bound to report to the camp-commander whether he expects any risks or disadvantages in carrying out an order of the camp-commander with to the work or the economic results.

3.) By this duty the work-manager becomes jointly responsible if any damages of failures ensue with regard to the work or the economic results.

4.) The camp-commanders alone is responsible for the employment of the labor available. This employment must be, in the true meaning of the word, exhaustive, in order to obtain the greatest measure of performance.

Work is allotted by the Chief of the Department D centrally and alone. The camp-commanders themselves may not accept on their own initiative work offered by third parties and may not negotiate about it.

5.) There is no limit to working hours. Their duration depends on the kind of working establishments in the camps and the kind of work to be done. They are fixed by the camp-commanders alone.

6.) Any circumstances which may result is a shortening of work hours (e.g.g. meals, roll-calls) have therefore to be restricted to the minimum which cannot be condensed any more. It is forbidden to allow long walks to the place of working and noon intervals only for eating purposes.

7.) Guard-duties have to be freed from their traditional rigidity and to be made more flexible having regard to the coming tasks of peace.

H1127 - 0087

Sentries on horseback, watchdogs, movable watch towers and movable obstacles are to be developed.

8.) Much more than before is required from each and every camp-commander if they carry out his order correctly. Hardly any camp is like any other one, therefore no uniform instructions shall be issued. But the whole responsibility is shifted on to the initiative of the camp-commander. He needs a clear professional knowledge of matters military and economic and he must be a clever and wise leader of men, whom he has to weld into a big potential of performance.

Signed: POHL

SS-Obergruppenfuehrer and General of the Waffon-SS

For correct copy: Schiller

SS-Obersturmfuehrer and Adjutant

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. R-129

10 November 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. R-129.

FRED NIEBERGALL
2nd Lt., Inf.,
O-1335567.

H1127 - 0088

Pg 42

Part 7 Ex. 179

TRANSLATION OF DOCUMENT R-124
Continued

Speer: Temporarily, in the long run we must find for thme better accommodation that for Ps/W.

We can, therefore, espect 32,560 Ps/W. Then we have a need of 12,000 civilian workers from the East as mentioned bofore and 12,000 mentioned now, i.e. a total of 24,000 for the mine proper in Novemberless 10,000 from agriculture. That is a deficit of 14,000 plus 7,500 for industry. p. 1239

* * * * * * * * * *

State Secret

Stenographic Transcript

of the

21st Conference

of the

Central Planning

concerning Supply and Direction of Labor
held on 30 October 1942, afternoon at the Reich Ministry of Armament and Munition, Berlin, Pariser Platz 3

Dr. Doerr Bucholz/C

(In the discussion of the labor situation in which Speer, Sauckel, Milch and Thimm participated)

p. 1059, line 22:

Speer: We must also discuss the slackers. Ley has ascertained that the sicklist decreased to one fourth or one fifth in factories where doctors are on the staff who are examining the sick men. There is nothing to be said against SS and Police taking drastic steps and putting those known as slackers into concentration camps. There is no alternative. Let it happen several times and the newswill soon go around

p. 1062 line (:

Sauckel: We talked of taking the waiters out of the restaurants in Germany. But in this respect we have absolutely an abundance in France, the General Government and the Protectorate. As long as we have not skimmed that off, we could not take the reponsibility towards the German people for such a measure. Again a calbe of the Foreign Minister has burst into my recent negotiations in France stating that under no circumstances should the Ministry Laval be put into peril. The Fuehrer has said: If the French show no good will, then I shall re-take the 800,000 French Ps/W. If they show good will, then the French wives can follow their husbands to Germany and work there. Of course, he said, I have an interest thatLaval remains in power. The Ministry Laval will remain, it depends only on us. And Laval cannot go back after he has reproduced in his speech and spoken before the French passages which he has taken verbally out of my appeal. Only Petain could bring him to fall. I wish to draw your attention to the fact, however, that in France there is a surplus of youg men all of whom we could use in Germany. If we expect of our people to accept severest restrictions then we cannot admit such luxuries in Paris as e.g. small restaurants with bands of 25 musicians and two waiters per table. I am firmly convinced: If we brutal also against the others then we can extract quite a considerable number of men out of the General Government - I sent as efficient man, President Struwe, over there - and of the Protectorate. This need not interfere with the armament industry over there. Thereis , therefore, no fear that the demand could not be met.

R-124

Exhibit U.S.A. 247
Filed Dec. 13, 1945

H1127-0090

TRANSLATION OF DOCUMENT 778-PS
OFFICE OF U S CHIEF OF COUNSEL

Copy.

Concentration Camp Dachau
Commander's Office

1.10.1933.

Disciplinary and Punitive Regulations

for the Internment Camp.

Introduction.

The following regulations, concerning punishment, for the maintenance of discipline and order within the limits of the Concentration Camp Dachau are released as part of the existing camp regulations.

Subject to these regulations are all internees of the Concentration Camp Dachau from the time of their imprisonment to the hour of their release.

Authority for ordering punishments lies in the hands of the camp commander, who is personally responsible to the political police commander for the execution of the issued camp regulations.

Tolerance means weakness. In the light of this conception, punishment will be mercilessly handed out whenever the interests of the fatherland warrant it. The fellow countryman who is decent but misled will never be affected by these regulations. But let it be a warning to the agitating politicians and intellectual provocators - regardless of which kind -: be on guard not to be caught, for otherwise it will be your neck and you will be shut up according to your own methods.

Article 6

The following are punishable with 8 days of close confinement, and 25 thrashings to be administered before and after the serving of the sentence:

1) anyone making depreciatory or ironical remarks to a member of the SS, deliberately omitting the prescribed marks of respect, or in any other way demonstrating unwillingness to submit himself to measures of discipline order.
2) Prisoner-sergeants and prisoner squad leaders or foremen who exceed their authority as orderlies, assume the privileges of a superior over other prisoners, accord likeminded prisoners special privileges in work or in any other way, tyrannize fellow prisoners who have political views different from their own, make false reports on them, or prejudice them in any other way.

Article 7

The following are punishable with two weeks' close confinement:

1) anyone exchanging by his own will the quarters to which he is assigned without being authorized by the company commander or instigating or inducing his fellow prisoners to do so;
2) anyone enclosing or hiding forbidden articles or articles produced in the camp in outgoing laundry bundles, or sewing them into pieces of laundry, etc.;
3) anyone entering or leaving barracks, shelters, or other buildings by other than authorized entrances, or creeping through window or other openings;
4) anyone smoking in shelters, toilets and places which are fire hazards, or keeping or depositing inflammable objects on such places. Should a fire result from neglect of this prohibition, then it will be considered as an act of sabotage.

778PS

H1127 - 0091

TRANSLATION OF DOCUMENT 778-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

Article 8

The following are punishable with 2 weeks of close confinement and 25 thrashings to be administered before and after the serving of the sentence:
1) Anyone leaving or entering the internment camp without an escort or who joins an outgoing work detail without proper authority;
2) anyone making depreciatory remarks in letters or other documents about national socialistic leaders, the State and Government, authorities and institutions, glorifying marxistic or liberalistic leaders or November Parties (November Parteien), or reporting on occurrences in the concentration camp;
3) anyone safe-keeping forbidden articles, tools, slashing and thrusting weapons in his quarters or in palliasses.

Article 9

The following are punishable with 3 weeks close confinement: Anyone removing government property regardless of what kind, from its assigned place; deliberately damaging, destroying, wasting, transforming, or using same for purposes other than prescribed. Aside from the punishment the individual or the entire company of prisoners, depending on the circumstances, will be held responsible for the damage caused.

Article 10

The following are punishable with 6 weeks close confinement or an indefinite term of solitary confinement:
1) Anyone making money collections inside of the camps, financing illegal activities, within or outside of the limits of the camp, or bribing fellow-prisoners into submission or putting them under obligation to keep quiet;
2) anyone receiving financial aid derived from illegal collections of the red aid funds, or distributing such money among fellow prisoner;
3) anyone making communications to a clergyman other than of problems pertaining to the soul, giving him secretly letters or communications for delivery, or attempting to win the clergyman's cooperation for illegal purpose;
4) anyone disparaging slandering or slighting in any other way the symbols of the national socialistic state or its representatives.

Article 11

By virtue of the law on revolutionaries, the following offenders, considered as agitators, will be hung.
Anyone who, for the purpose of agitating, does the following in the camp, at work, in the quarters, in the kitchens and workshops, toilets and places of rest: politicizes, holds inciting speeches and meetings, forms cliques, loiters around with others; who for the purpose of supplying the propaganda of the opposition with atrocity stories, collects true or false information about the concentration camp and its institution; receives such information, buries it, talks about it to others, smuggles it out of the camp into the hands of foreign visitors or others by means of clandestine or other methods, passes it on in writing or orally to released prisoners or prisoners who are placed above them, conceals it in clothing or other articles, throws stones and other objects over the camp wall containing such informations; or produces secret documents; who, for the purpose of agitating, climbs on barracks' roofs and trees, seeks contact with the outside by giving light or other signals, or induces others to escape or commit a crime, gives them advices to that effect or supports such undertakings in any way whatsoever.

H1127 - 0092

TRANSLATION OF DOCUMENT 778-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

Article 12

The following offenders, considered as mutineers, will be shot on the spot or later hung:
Anyone attacking physically a guard or an SS man, refusing to obey or to work while on detail, asking or inducing others to join him in such acts of mutiny, leaving a marching column or a place of work as a mutineer or asking others to do likewise, or bowling, shouting, inciting or holding speeches while marching or at work.

Article 13

The following offenders, considered as saboteurs, will be punished by death:
Anyone deliberately causing a fire, an explosion, or any kind of damage such as by water in the camp, in the quarters,in the workshops, in the places of work, in the kitchens, store rooms, etc; also anyone manipulating contrary to given instructions with barked wire installations, high voltage circuits, switch boards, telegraph or water lines, the camp wall or other security installations, heating and boiler installations, machines or motor vehicles. Should the act have occurred because of negligence, then the guilty person will be kept in solitary confinement. In cases of doubt, however, it will be considered as an act of sabotage.

Article 19

Confinement will be executed in a cell, with a hard rest, with water and bread. The prisoner receives warm food every four days. Punitive work consists of severe physical or particularly dirty work, performed under close supervision. Incidental punishments are:
drilling, thrashings, foreclosure of mail and food, hard rest, tying to stakes, reprimands and warnings.
All punishments are being recorded in files.
Confinement and punitive labor prolong the term of internment by at least 8 weeks, an imposed incidental punishment by 4 weeks. Prisoners in solitary confinement will not be released within a measurable space of time.

The Commander of the
Concentration Camp (L.S.)

signed EICKE
SS-Oberfuehrer

TRANSLATION OF DOCUMENT 778-PS
OFFICE OF U.S. CHIEF OF COUNSEL
(cont.)

Concentration Camp Dachau
Commanders Office

10.1.1933

Service Regulations for Prisoner
Escorts and Guards

pp.
6. Guard Deputy.

Anyone letting a prisoner escape will be arrested and handed over to the Bavarian Political Police for liberating prisoners out of negligence.

If a prisoner attempt to escape, he is to be shot without warning. The guard who has shot an escaping prisoner in the line of his duty will not be punished.

In case of attack on a guard by a prisoner, the former is to resist the attack not by physical force but by the use of his weapons. A guard disregarding this regulation must expect his immediate discharge. Anyone keeping his back covered, will anyway seldom have to expect an attack.

If a prisoner unit mutinizes or revolts, it is to be shot at by all supervising guards. Warning shots are principally prohibited.

In time of work is determined by the camp commander. A prisoner escort who brings his prisoners back too early, is guilty of having badly failed to do his duty and can be discharched.

In case a work detachment must stop its work prematurely for some reason or other, then the work detachment leader must have the reason certified on the back of the work service slip (Arbeitsdienst zettel) by either the construction division or the requisitioning office.

pp.

The Commander
of the Concentration Camp

L.S. EICKE

SS-Oberfuehrer

CERTIFICATE OF TRANSLATION
OF DOCUMENT 778-PS

November 25,1945.

I, WALTER R. SELIGSON, 1st Lt.O-1558904, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 778-PS.

WALTER R. SELIGSON
1st Lt.
O-1558904

H1127 - 0093

Exhibit U.S.A. 248
Filed Dec 13, 1945

TRANSLATION OF DOCUMENT 1531-PS
OFFICE OF U S CHIEF OF COUNSEL

I.
Reich Security Head Office
Amt IV
Bk. No. 409/39 Top Secret

Berlin, 26 October 1939

Top Secret

a) To all State Police District Offices.

b) To the Gestapo office (according to restricted distribution C).

For information

a) To all inspectors of the Security police and the SD.

b) To the Inspector-General of the reinforced SS-Death's Head Units (with 8 copies for the camps).

Subject: Execution of protective custody.

By order of the Reichsfuehrer SS and Chief of the German Police, all prisoners under protective custody due for transference to a concentration camp will, during the war, be assigned to a special penal section. The only exceptions will be prisoners under protective custody, who are assigned to a camp as a preventative police measure, (particularly those under index A), or those who are expressly exempt on the nominal role.

. . .

In order to achieve a further deterrent effect, the following must, in future, be observed in each individual case.

. . .

3. The length of the period of custody must in no case be made known, even if the Reichsfuehrer SS and Chief of the German Police or the Chief of the Security Police and the SD has already fixed it.

The term of a commitment to a concentration camp is to be openly announced as "until further notice."

In serious cases, there is no objection to the increasing of the deterrent effect by the spreading of a cleverly carried out rumour propaganda, more or less to the effect that, according to hearsay, in view of the seriousness of his case, the arrested man will not be released for 2 or 3 years.

4. In certain cases, the Reichsfuehrer SS and Chief of the German Police will order flogging in addition to detention in a concentration camp. Orders of this kind will, in future, also be transmitted to the State Police District Office concerned. In this case too, there is no objection to spreading the rumour of this increased punishment as laid down in Section 3, paragraph 3, in so far as this appears suitable, to add to the deterrent effect.

5. Naturally, particularly suitable and reliable people are to be chosen for the spreading of such news.

. . .

By Order
(signed) Mueller

Authenticated
(signed) Bleeck
Chancellery employee

H1127 - 0094

H1127-0095

TRANSLATION OF DOCUMENT 1531-PS
(cont.)

II
Chief of the Security Police
and the SD
Tgb. No. IV - 220/42 Top Secret

Berlin, 12th June 1942

120 Copies
110th Copy

Top Secret

As Top Secret
to all Chiefs of the Security Police and the SD
to all Directors of Groups IV A, IV B, IV C, and IV E of the Reich Security Head Office
to all Commanding Officers of the Security Police and the SD
to all Heads of the State Police Districts Offices

For Information

to the Inspectors of the Security Police and the SD

Subject: Third degree

Enclosure: 1 receipt

In order to simplify things the Decree of the Chief of the Security police and the Sd of 1.7.37 Tgb. No. [illegible] (II) 301/37 Secret (to be destroyed according to sealed orders) will be superseded by the following new ruling, with immidiate effect:

1. Third degree may only be applied if it is clear from preliminary investigation that the prisoner can give information on important facts, against or subversive to the State and to the Reich, but will not disclose what he knows, and the information cannot be obtained by investigation.

2. Third degree may, under this supposition, only be employed against Communists, Marxists, Jehova's Witnesses, saboteurs, terrorists, members of resistance movements, parachute agents, anti-social elements, Polish or Soviet-Russian loafers or tramps. In all other cases, my permission must first be obtained.

3. Third degree may not be used to extort confessions of a prisoner's own crimes. Also this method may not be employed against persons who are temporarily detained by law for further investigations.

My previous permission is also necessary in exceptional cases.

4. Third degree can, according to the circumstances, consist, amongst other methods, of
very simple diet (Water and Bread)
hard bunk,
dark cell,
deprivation of sleep,
exhaustion drill
but also in the administration of flogging (for more than 20 strokes a doctor must be consulted).

I.V.
(signed) Mueller

Authenticated
(signed) Hellmuth
Registered Secretary (Female)

H1127-0096

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1531-PS

30 October 1945

I, ESME SHERRIFF, 2/o, W.R.N.S., 36482, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1531-PS.

ESME SHERRIFF
2/o, W.R.N.S.
36482

Exhibit U.S.A. 249
Filed Dec. 13, 1945

H1127 - 0097

DOCUMENT NO. 2176-PS
OFFICE OF U.S. CHIEF OF COUNSEL

REPORT OF INVESTIGATING OFFICER
CONFIDENTIAL

HEADQUARTERS
THIRD UNITED STATES ARMY
Office of the Judge Advocate

AG 092 (3 JA - 132) GNMCJ

APO 403
17 June 1945

SUBJECT: Report of Investigation of Alleged War Crimes.

TO: Commanding General, Twelfth Army Group, APO 655, U. S. Army.

I. AUTHORITY

1. This investigation was conducted in conformity with Letter, European Theater of Operations, 24 February 1945, by EUGENE S. COHEN, ASN O-1573121, Major, 514th Quartermaster Group, APO 403, United States Army, Investigator-Examiner, during the period 6 May 1945 to 15 June 1945, and pursuant to directive of Commanding General, Third United States Army, a copy of which is attached as Exhibit 1.

II. MATTERS INVESTIGATED

2. Murder by shooting, beating, use of poison gas, drowning, starving, injections, stoning, exposure, burning, and choking of nationals of twenty-three (23) nations, including members of the United States armed forces, of the German civilian population working under the German armed forces and of other nationals under the orders of said German armed forces, in violation of Article 2 of the Geneva Prisoner of War Convention (Par 73, Rules of Land Warfare, Article 2 of same, Par 25, 26, 30, and 31, Rules of Land Warfare).

III. PROCEEDINGS

3. a. The testimony of all witnesses examined in the course of this investigation and which is attached and made a part hereof was secured through the use of interpreters where requisite, after the witness had been sworn by me, through the interpreter, under the authority of Article of War 114, in the following form: "You swear (or affirm) that the evidence you shall give in this investigation now being conducted by me shall be the truth, the whole truth, and nothing but the truth. So help you God." Where practicable, the witness was given an opportunity to sign his testimony in my presence and, in all cases, it was signed after such testimony had been read back to the witness in his own language by the interpreter. The use of a stenographic reporter was impracticable under existing conditions.

The interpreter was sworn in the following form: "You swear (or affirm that you will truly interpret this investigation now being conducted by me. So help you God."

b. The transcribed testimony of each such witness whose name is below listed is hereto attached as an Exhibit - the number of which is indicated immediately following the witness' name. As a further aid, the name of each camp in the chain at which the said Exhibit was prepared is listed alongside the name of the witness:

* * * * *

c. Other Exhibits:

Description

(a) Exhibit 4 is a report by an International Committee set up by this Investigation, and same is sworn to in due form by the two witnesses named.

2176PS

H1127 - 0098

The report is further documented with the names of others who helped compile the facts and figures).

(b) Journal Record of victims between certain dates, including information as to name, nationality, residence, date of birth, date of death, manner of death, and the names of guards performing the actual execution. (Ex. #214)

(c) "Totenbuch," or Book of the Dead, representing names of victims, nationality, residence, date of birth, date of death, and manner of death, between certain dates. This is a sample of small journals which were later incorporated in the permanent records which number sixteen (16) volumes and which will be submitted in a supplemental report. (Ex. #215)

(d) Specimen of poisonous gas used in gas chamber at MAUTHAUSEN and GUSEN No. 1 and No. 2. (Ex. #216)

(e) Rubber hose used by SS Guards to beat prisoners in the MAUTHAUSEN Chain of Camps. (Ex. #217)

(f) Heavy whip used by SS Guards to beat prisoners in the MAUTHAUSEN Chain of Camps. (Ex. #218)

(g) Cat of Nine Tails Whip used by SS guards. (Ex. #219)

IV. SUMMARY OF FACTS

4. A certificate by the Investigator-Examiner is attached hereto in separate form, summarizing the camp and methods of working them in the present investigation.

a. Between 1,500,000 and 2,000,000 political prisoners are known to have been incarcerated and labeled for extermination at the MAUTHAUSEN system of concentration camps from available records. The Chain consisted of between 23 and 30 individual camps between the years 1941 and 1945, the number varying as the smaller of these were occasionally evacuated when certain jobs had been finished (see Exhibits 4, 81, and 213).

b. Of the camps affiliated with MAUTHAUSEN, the present investigation covered 13 of them of which the largest were MAUTHAUSEN, GUSEN, Number 1 and Number 2, EBENSEE, STEYR, and GUNSKIRCHEN. Others in the list situated in Third Army Territory were LINZ, Numbers 1, 2 and 3, WELLS, LENZING, SCHLIER, and ENNS. The victims of this Chain of camps were murdered by the SS Guards working in these camps under the command of FRANZ ZIEREIS, Commandant and GEORGE BACHMAYER, Assistant Commandant, both now deceased, whose headquarters were at the fortress in MAUTHAUSEN (see Exhibits 209, 210, and 212).

c. Evidence reveals that the orders for the systematic decimation of these prisoners originated in BERLIN under the direct orders of SS FUHRER HEINRICH HIMMLER (see Exhibit 4).

d. American Forces liberated this camp on 5 May 1945 and this Investigator-Examiner and his team commenced this investigation on 6 May 1945.

e. The victims of the MAUTHAUSEN Chain of concentration camps are in the process of compilation and will be submitted in a supplementary report.

5. It may be added that one of the functions of the International Committee formed by this investigator to assist in the investigation of these camps was to arrange for each nation to copy the names of each of its dead from the available records in order to notify the next of kin. Therefore, it is confidently concluded that each such nation already has a list of its own dead with all information regarding their manner of death and the statistics thereupon. This International Committee was selected from the inmates by the

H1127-0099

team and consisted of the most distinguished members selected by the prisoners themselves. The Committee numbered six men as principals and many assistants have greatly helped the investigation in securing the best witnesses and covering all phases in the preparation of this case for trial (see Exhibit 4).

6. ENEMY INDIVIDUALS

a. See Exhibit 2.

b. Wanted notices for all perpetrators are in the process of preparation.

V. CONCLUSIONS

The evidence collected in this case shows very clearly that the whole purpose of the MAUTHAUSEN Chain of concentration camps was extermination of human beings for no other reason than their opposition to the Nazi way of thinking. There is no doubt that MAUTHAUSEN was the basis for long term planning. It was constructed as a gigantic stone fortress on top of a mountain flanked by small barracks.

MAUTHAUSEN, in addition to its permanency of construction, had facilities for a large garrison of officers and men, and had large dining rooms and toilet facilities for the staff. It was conducted with the sole purpose in mind of exterminating any so-called prisoner who entered within its walls.

The so-called branches of MAUTHAUSEN were under direct command of the SS officials located there. All records, orders, and administrative facilities were handled for these branches through MAUTHAUSEN. The other camps, including GUSEN and EBENSEE, its two most notorious and largest branches, were not exclusively used for extermination but prisoners were used as tools in construction and production until they were beaten or starved into uselessness, whereupon they were customarily sent to MAUTHAUSEN for final disposal.

The responsibility for the deaths of these victims lies definitely with the Nazi Party and with the SS men who executed its commands. Men like HIMMLER, ZIERIES, BACHMAYER, SCHULZ, GIESLER, PELZER, and others names in Exhibit 2 are but the arch criminals. However, although direct evidence is not established against all the members of the SS Guards in this disreputable Chain, the inescapable presumption is that all of them are prima facie guilty of these mass murders and the burden of proof is upon them individually to prove his innocence. In this connection the SS organization was purely a voluntary one and its purposes were obviously criminal, in violation of the Hague and Geneva Conventions, and the rights of humanity.

It is the belief of the Investigator-Examiner that the theory of "Association des Malfaiteurs" should be employed most stringently in a case as virulent and as atrocious as the MAUTHAUSEN setup (see Certificate attached hereto).

/s/ Eugene S. Cohen

EUGENE S. COHEN, Major, QMC,
JA Section, Third US Army,
Investigator-Examiner.

H1127-0100

3 JA-132

C E R T I F I C A T E
of Officer Investigating Mauthausen Concentration Camp.

I hereby certify as follows:

1. The Mauthausen Chain of Concentration Camps varied in number from twenty to thirty or more, depending on the needs of any specific work assignment.

2. As shown in EXHIBITS 21, 22, and 201, the captured records indicated the names of most of these camps, which varied in size from the huge fortress of Mauthausen itself, to a small detached lager similar to STEYR or LENZING. LENZING for example, like Steyr (See EXHIBITS 86, 194 and 195) were detachments from Mauthausen sent and billeted in Barracks to run two large factories.

3. The map herein included as EXHIBIT 201 shows the locations of these named camps with most important route numbers leading to them. It is thus seen that the majority of these camps were located EAST of the RIVER ENNS (which flows into the Danube and passes through STEYR and ENNS-TOWNSHIP, AUSTRIA), and, therefore, are of Russian concern, since this river is the present International Occupation Boundry between ourselves and the Soviet Union.

4. However, the remainder of the camps (as shown in EXHIBIT 201), amounting roughly to about 13, have been accounted for in this present investigation. (See list of Exhibits). The so-called most notorious of these camps are, of course, first MAUTHAUSEN (ranked with AUSCHWITZ as by far the largest and worst of all Concentration Camps); EBENSEE (ranked by many as worse than DACHAU yet only an inferior Aussenlager (Branch) to MAUTHAUSEN); GUSEN, divided into two large branches named NUMBERS ONE and TWO and of large size in themselves; GUNSKIRCHEN and STEYR, (See EXHIBIT 84), numbering at capacity five-thousand people. (See EXHIBIT 195).

5. Many of these camps were evacuated almost immediately upon liberation, even so large a one as GUNSKIRCHEN. (See EXHIBIT 84.) This camp was said to have numbered as many as 20,000 prisoners at one time, but however, GUNSKIRCHEN, like STEYR and LENZING and the LINZ GROUP (Exhibit 22), and even EBENSEE, were not equipped for Mass Murder (Extermination), like Mauthausen and the Gusens, and when deaths were "required" other than through starving, beatings, exposure, or lack of hygienic treatment, the prisoners were dispatched either to Mauthausen or the Gusens where all were labelled for eventual annihilation. (See EXHIBIT 4 as a conclusive Exhibit which in itself, makes a complete case against the perpetrators involved).

6. The total count of victims is impossible to estimate, but with HARTHEIM Castle (a building used for mysterious disposal of people), (See Exhibit 213,) almost 2,000,000 are counted from the German Records themselves. (Also see again EXHIBIT 4).

7. As to the perpetrators or murderers, a complete list of leaders and some 10,000 (approximately) other S.S. names are included in this investigation. Descriptions are included whenever possible and at all events, Name, Rank, Date of Birth, Last Residence, and Residence of Next of Kin (to whom they might return) are given. (See EXHIBIT 2, and valuable EXHIBIT 213 which lists the victims between certain dates, giving their names, nationalities, Dates of Birth, Day of Death, Method of Death, and NAMES OF GUARDS doing the killing).

8. All Camps presently investigated are as follows:

MAUTHAUSEN, GUSEN (Nos. 1 and 2) LINZ (Nos. 1, 2, and 3), and EBENSEE.

H1027-0101

WELS, GUNSKIRCHEN, LENZING, STEYR, and SCHLIER are also taken care of as part of the chain and as indicated heretofore. All others were either in Russian or British areas. All these camps have been treated as one case. However, a Supplemental Report is now being prepared to follow the present one in a short time. It should be noted that FRANZ ZIEREIS, Commandant of the MAUTHAUSEN CHAIN and GEORG BACHMAYER, Assistant Commandant, are now dead. (See EXHIBITS 181, 182, 183, 184, 185, 209 and 210).

9. Besides the books made Exhibits in this present report, sixteen TOTENBUCHER (Books of the dead, as described in EXHIBIT 4) have been photographed in micro-film and although ready cannot be received in time to submit in this present report.

Additional still photographs and more than 1000 feet of motion pictures have been taken by an official Signal Corps Team and will also be submitted in the Supplemental Report.

/s/ Eugene S. Cohen
EUGENE S. COHEN,
Major, QM Corps,
Investigating Officer.

Exhibit U.S.a. 252
Filed Dec. 13, 1945

DOCUMENT NO. 3420-PS.

SECRET

Mobile Field Interrogation Unit No. 2

PW INTELLIGENCE BULLETIN

No. 2/20

19 December 1944.

Address Briefs and Requests to HQ, FID, MIS, APO 887.

EXTRACT

13. Concentration Camp, Buchenwald.

Preamble. The author of this account is PW Andreas PFAFFENBERGER, 1 Coy, 9 Landesschuetzen Bn. 43 years old and of limited education, he is a butcher by trade. The substantial agreement of the details of his story with those found in PWIS (H)/LF/736 establishes the validity of his testimony.

PW has not been questioned on statements which, in the light of what is known, are apparently erroneous in certain details, nor has any effort been made to alter the subjective character of PW's account, which he wrote without being told anything of the intelligence already known. Results of interrogation on personalities at BUCHENWALD have already been published (PWIB No. 2/12 Item 31).

* * * *

In 1939, all prisoners with tattooing on them were ordered to report to the dispensary. No one knew what the purpose was. But after the tattooed prisoners had been examined, the ones with the best and most artistic specimens were kept in the dispensary, and then killed by injections, administered by Karl BEICS, a criminal prisoner. The corpses were then turned over to the pathological department, where the desired pieces of tattoed skin were detached from the bodies and treated. The finished products were turned over to SS Standartenfuehrer KOCH's wife, who had them fashioned into lampshades and other ornamental household articles. I myself saw such tattoed skins with various designs and legends on them, such as "Hans'l und Gret'l", which one prisoner had had on his knee, and ships from prisoners' chests. This work was done by a prisoner named WERNERBACH.

There I also saw the shrunken heads of two young Poles who had been hanged for having had relations with German girls. The heads were the size of a fist, and the hair and the marks of the rope were still there.

(See Exhibit 165)
2223-PS

H1027-0102

Exhibit U.S.A. 253
Filed Dec. 13, 1945

DOCUMENT NO. 3421-PS

OFFICE OF U.S. CHIEF OF COUNSEL
FOR THE PROSECUTION OF AXIS CRIMINALITY

16 November 1945.

CERTIFICATE

I, GEORGE C. DEMAS, LIEUT., USNR, associated with the United States Chief of Counsel for the Prosecution of Axis Criminality, hereby certify that the attached exhibit, consisting of parchment, was delivered by the War Crimes Section, Judge Advocate General, U.S. Army, to me in my above capacity, in the usual course of official business, as an exhibit found in Buchenwald Camp and captured by military forces under the command of the Supreme Commander, Allied Expeditionary Forces.

NAME (Signed) GEORGE C. DEMAS

RANK Lieutenant, USNR

FILE NO. 301973

H1027-0103

Exhibit U.S.A. 254
Filed Dec. 13, 1945

DOCUMENT NO. 3422-PS

OFFICE OF U.S. CHIEF OF COUNSEL
FOR THE PROSECUTION OF AXIS CRIMINALITY

16 November 1945.

CERTIFICATE

I, GEORGE C. DEMAS, LIEUT., USNR, associated with the United States Chief of Counsel for the Prosecution of Axis Criminality, hereby certify that the attached exhibit, consisting of one shrunken head, was delivered by the War Crimes Section, Judge Advocate General, U.S. Army, to me in my above capacity, in the usual course of official business, as an exhibit found in Buchenwald Camp and captured by military forces under the command of the Supreme Commander, Allied Expeditionary Forces.

NAME (signed) GEORGE C. DEMAS

RANK Lieutenant, USNR

FILE NO. 301973

H1027-0104

Part 7 p. 252

DOCUMENT NO. 3423-PS

SEVENTH MEDICAL LABORATORY
APO 403, c/o PM, NEW YORK, N.Y.

Section of Pathology

25 May 1945.

SUBJECT: Identification of Tattooed Skin Hides

TO : COMMANDING GENERAL, Third U.S. Army)
(ATTN: JUDGE ADVOCATE GENERAL)

1. There were submitted to this laboratory section for examination three tanned pieces of skin by Lt. Col. GIVIN from Buchenwald Camp with office record designation of Case 81 T.J.A.

2. The description follows:

GROSS: Specimen consists of three pieces of skin, labeled A.B.C.

PIECE A: Measures 13 X 13 cm., is transparent and shows a woman's head in the center and a sailor with an anchor near the margin.

PIECE B: Measures 14 X 15 cm., is transparent and is a tattoo of several anchors resting on an inderinite black mass. To the right of this mass is a man's head.

PIECE C: Is truncated, measures 44 cm. at the base. The upper portion is 30 cm. long and the sides measure 46 cm. The skin is transparent and shows two nipples in the upper area. These are 16 cm. apart. From the nipple level to the umbilicus is 23 1/2 cm. A large bird, with a wingspread measuring 28 cm., is present in the center of the skin, upper part. A black dragon, with fire coming from the mouth, measures 28 cm. in length and is present in the center of the skin. To the left of the dragon is a man in a coat of mail, with a sword being apparently stuck in the dragon. Man is approximately 22 cm. in length.

MICROSCOPIC: The tissue consists of bundles of collagen showing occasional epithelial and sweat gland remnants. Granular black pigment granules are seen between some of the bundles.

3. Based on the findings in paragraph 2, all three specimens are tattoed human skin.

For the Commanding Officer,

(signed) REUBEN CARES

Reuben Cares
Major M.C.
Chief of Pathology

(Exh. 52, 114)

Filed Dec. 13, 1945

HJS Military Secy.

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INTERNATIONAL MILITARY TRIBUNAL

H-1127

DOCUMENT BOOK

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"CONCENTRATION CAMPS"

ROBERT H. JACKSON
U.S. CHIEF OF COUNSEL

Presented by:

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OF COUNSEL:

Captain EDGAR G. BOEDEKER

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